OXFORD

JOHN DUNS SCOTUS

Selected Writings on Ethics

Edited and translated by

THOMAS WILLIAMS

John Duns Scotus

John Duns Scotus

Selected Writings on Ethics

EDITED AND TRANSLATED BY
Thomas Williams

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Thomas Williams 2017

The moral rights of the author have been asserted

First Edition published in 2017

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data

Data available

Library of Congress Control Number: 2016955254

ISBN 978–0–19–967340–7 (hbk.)
978–0–19–967341–4 (pbk.)

Printed in Great Britain by
Clays Ltd, St Ives plc

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

Contents

Acknowledgments ix
Topical guide to the translations xi
Introduction xiii

1. *Questions on Aristotle's Metaphysics* IX, q. 15: "Is the distinction Aristotle draws between rational and non-rational powers appropriate?" 1
2. *Ordinatio* prologue, part 5, qq. 1 and 2 (omitting nn. 270–313): "Is theology a practical or a speculative science?" / "Is a science called practical per se because it is ordered to praxis as its end?" 16
3. *Ordinatio* I, d. 1, part 1, q. 1: "Is the object of enjoyment per se the ultimate end?" 44
4. *Ordinatio* I, d. 1, part 2, q. 1, nn. 65–73: "Is enjoyment an act elicited by the will or a passion received by the will?" 50
5. *Ordinatio* I, d. 1, part 2, q. 2 (omitting nn. 100–33): "Does the will necessarily enjoy an end when it is apprehended by the intellect?" 53
6. *Ordinatio* I, d. 8, part 2, q. un., nn. 223–5, 269–74, 281–301: "Is God alone immutable?" 67
7. *Ordinatio* I, d. 17, part 1, qq. 1–2, nn. 55–67, 92–100: "Is a moral habit, as a virtue, in some way an active principle with respect to moral goodness in an act?" 75
8. *Ordinatio* I, d. 38, q. un.: "Is God's knowledge with respect to created things practical?" 82
9. *Reportatio* IA, dd. 39–40, qq. 1–3, nn. 24–59: The nature and cause of contingency 86
10. *Ordinatio* I, d. 44, q. un.: "Can God make things otherwise than as it is well-ordered for him to make them?" 95
11. *Ordinatio* I, d. 47, q. un.: "Is divine permission an act of the divine will?" 99
12. *Ordinatio* I, d. 48, q. un.: "Is a created will morally good whenever it is in conformity with the uncreated will?" 102
13. *Ordinatio* II, d. 6, q. 1: "Was the evil angel able to desire equality with God?" 104
14. *Ordinatio* II, d. 6, q. 2: "Was the angel's first sin formally pride?" 109

15. *Ordinatio* II, d. 7, q. un., nn. 28–39: The levels of goodness 123
16. *Ordinatio* II, dd. 34–7, q. 2: "Is sin per se a corruption of good?" 126
17. *Ordinatio* II, d. 38, q. un.: "Is intention an act of the will alone?" 135
18. *Ordinatio* II, d. 39, qq. 1–2: "Is synderesis in the will?" / "Is conscience in the will?" 138
19. *Ordinatio* II, d. 40, q. un.: "Is every act good in virtue of its end?" 144
20. *Ordinatio* II, d. 41, q. un.: "Can any act of ours be indifferent?" 147
21. *Ordinatio* II, d. 42, q. un.: "Are the capital sins distinct?" 150
22. *Ordinatio* II, d. 43, q. un.: "Can a created will sin *ex malitia*?" 151
23. *Ordinatio* II, d. 44, q. un.: "Is the power for sinning from God?" 153
24. *Ordinatio* III, d. 17, q. un.: "Were there two wills in Christ?" 156
25. *Ordinatio* III, d. 27, q. un.: "Is there a theological virtue that inclines one toward loving God above all else?" 161
26. *Ordinatio* III, d. 28, q. un.: "Ought one to love one's neighbor by the same habit by which one loves God?" 178
27. *Ordinatio* III, d. 29, q. un.: "Is each person required to love himself the most, after God?" 184
28. *Ordinatio* III, d. 32, q. un. (omitting nn. 12–18): "Does God love all things equally through charity?" 186
29. *Ordinatio* III, d. 33, q. un.: "Are the moral virtues in the will as in a subject?" 190
30. *Ordinatio* III, d. 34, q. un., nn. 1–5, 24–38, 45–83: "Are the virtues, gifts, beatitudes, and fruits the same habits?" 207
31. *Ordinatio* III, d. 36, q. un.: "Are the moral virtues connected?" 222
32. *Ordinatio* III, d. 37, q. un.: "Do all the precepts of the Decalogue belong to the natural law?" 248
33. *Ordinatio* III, d. 38, q. un.: "Is every lie a sin?" 259
34. *Ordinatio* IV, d. 15, q. 2, nn. 78–101: The origin of private property 272
35. *Ordinatio* IV, d. 17, q. un., nn. 1–2, 17–33: Sacramental confession and the natural law 276
36. *Ordinatio* IV, d. 21, q. 2: "Is a confessor bound in every case to conceal a sin disclosed to him in confession?" 281
37. *Ordinatio* IV, d. 26, q. un., nn. 12–31: The moral goodness of the marriage contract 296

38. *Ordinatio* IV, d. 29, q. un., nn. 2, 11–28: Coerced consent 301

39. *Ordinatio* IV, d. 33, q. 1: "Was plural marriage ever licit?" 305

40. *Ordinatio* IV, d. 33, q. 3: "Was it licit under the Mosaic Law to divorce one's wife?" 311

41. *Ordinatio* IV, d. 46, qq. 1–3: "Is there justice in God?" / "Is there mercy in God?" / "Are justice and mercy distinct in God?" 319

42. *Quodlibetal Questions* q. 18: "Does an exterior act add any goodness or badness to an interior act?" 333

Bibliography 351
Index 355

Acknowledgments

I am enormously grateful for the $138,000 Scholarly Editions and Translations Grant from the National Endowment for the Humanities that relieved me of half my teaching in 2014 and 2015 and thereby allowed me to make much faster progress on this volume than would otherwise have been possible. The grant also funded the work of Jeff Steele as editorial associate, and I am very grateful for his tireless and skillful research, the keen eye he brought to the translations, and his invariably sharp suggestions for corrections and improvements.

I was fortunate also to be in residence at the Institute for Advanced Studies in the Humanities at the University of Edinburgh as the American Philosophical Association's Edinburgh Fellow in the fall of 2014 and at the Centre for Ethics, Philosophy and Public Affairs at the University of St Andrews as a Visiting Fellow in the spring of 2015. I am grateful to the Institute for Advanced Studies in the Humanities (IASH) and the Centre for Ethics, Philosophy, and Public Affairs (CEPPA) for providing settings wonderfully conducive to work, and to the American Philosophical Association (APA) for its support.

I was sustained during my time in Scotland by the hospitality and welcome I found in the Scottish Episcopal Church. I am grateful to the Bishop of Edinburgh, the Right Revd John Armes, and the Bishop of St Andrews, Dunkeld, and Dunblane, the Most Revd David Chillingworth, for granting me permission to officiate in their dioceses, and to the clergy and people of Old St Paul's Church and St Mary's Cathedral in Edinburgh and All Saints' Church in St Andrews for making me a part of their communities.

I am also grateful to the University of South Florida for granting me a research leave in the fall of 2014 as compensation for serving a term as chair of Religious Studies, and to my chair in Philosophy, Roger Ariew, for accommodating my comings and goings.

I owe a particular debt of gratitude to my medieval history professor at Vanderbilt, Paul Freedman, for introducing me to paleography. Neither of us had any particular reason at the time to suppose that I would ever use it; he simply had an exuberant love of learning that found expression in teaching, and as a medievalist-in-training I was intrigued enough to pay close attention. But this proved to be the most consequential side-conversation of my scholarly life, despite the fact that it corresponded to no pre-approved "learning outcome" (such things having mercifully not been invented yet in the 1980s). The state of the editions being what it is, I could not have completed this project responsibly without spending a good deal of time in the manuscripts, and I am grateful to Prof. Freedman for introducing me to the skills I would need in order to do so.

Topical guide to the translations

The decision to present mostly complete questions rather than primarily shorter excerpts meant that it was not practical to organize the material under general topical headings, since most of the chapters cover two or more major topics in some detail. Here I provide a list of major topics and the numbers of the chapters in which those topics are treated extensively. This guide is meant to help in selecting and organizing readings that focus on particular themes; I hope it will be especially useful for those preparing syllabi for courses on Scotus, medieval philosophy, the history of ethics, and so forth. For every discussion of a topic, even in passing, the index will be a better guide.

- absolute vs ordered power: 10
- analogy/disanology between intellect and will: 3, 4, 5, 6, 12, 13, 14, 41, 42
- capital sins: 14, 21
- charity: 5, 15, 20, 25, 26, 27, 28, 31, 36
- composed vs divided sense: 1, 9
- confession (sacramental): 35, 36
- conscience: 18
- consent: 38
- contingency: 1, 2, 5, 6, 9
- Decalogue: 32
- deliberation: 29, 31
- efficacious vs simple/restrained volition: 11, 13, 28
- end: 2, 3, 5, 16, 19, 31, 32
- enjoyment: 3, 4, 5
- friendship: 25, 30
- friendship-willing vs desire-willing: 13, 14
- God's justice and mercy: 41
- God's love: 28
- goodness and badness
  - generic: 15, 19, 33, 37, 42
  - meritorious: 15, 19, 20
  - moral: 7, 12, 15, 19, 20, 37, 42
  - natural: 15, 19, 42
- habits: 7, 18, 25, 26, 29, 31
- happiness: 5, 14, 25
- immutability of God: 6
- imputability: 42
- indeterminacy, kinds of: 1, 6, 9, 29
- indifference of an act: 15, 20

intellect: see *will, relation to intellect*
intention: 17
interior (elicited) vs exterior (commanded) act: 2, 38, 42
irascible vs concupiscible: 30
justice: 14, 16, 30, 39, 40, 41, 42
law
  divine: 10, 34, 35, 36
  Mosaic: 35, 40
  natural: 32, 33, 34, 35, 36, 37, 39
  positive: 32, 34, 35, 36
love of God: 14, 25, 26, 27, 32, 42
love of neighbor: 26, 27, 32
lying: 33, 36, 38
marriage: 37, 38, 39, 40
necessary vs contingent moral truths: 2, 32
passions: 7, 29, 30
pleasure: 4, 29, 30, 31
powers
  for opposites: 1, 9, 42
  rational vs non-rational: 1, 42
practical principles: 2, 8, 32, 35
practical science/cognition: 2, 8, 31, 32
praxis: 2, 8
pride: 14
private property: 32, 34
prudence: 7, 29, 30, 31
rectitude/correctness: 16, 42
right/correct reason: 2, 7, 15, 19, 25, 31, 37, 38, 42
sin: 13, 14, 16, 22, 23, 33, 42
synderesis: 18
virtue(s): 7, 25, 29, 30, 31
will
  acts of (willing, willing-against, etc.): 4, 11, 13, 14, 17
  as rational power: 1
  as subject of virtue: 29
  divine: 2, 6, 8, 9, 10, 12, 28, 41
  freedom of: 1, 4, 5, 14, 18, 22, 23, 29, 42
  natural vs free: 14, 18, 24, 29
  relation to intellect: 1, 2, 5, 8, 13, 17, 29, 31, 41
  relation to sensory appetite: 14, 21, 22, 24, 29, 30
  two affections of: 14, 18
  vs nature: 1, 5, 29

Introduction

John Duns Scotus (1265/66–1308) did not write systematically about ethics and moral psychology, but he did write extensively. In this volume I offer translations that cover the whole range of ethical topics that Scotus discusses, including happiness, freedom, moral responsibility, the virtues, the metaphysics of goodness, practical reason, the moral attributes of God (such as love, justice, and mercy), the will and its acts and affections, the foundations of morality, sin, and such practical matters as marriage, truth-telling, promise-keeping, and sacramental confession. To the extent that space would allow, I have translated entire questions, or at least extended selections, rather than shorter excerpts.

I begin with a brief overview of Scotus's life and works, with particular emphasis on the works from which the selections in this volume are drawn. I then discuss the editions and manuscripts I have used, and finally I explain some conventions I have adopted in the translations.

Scotus's life

We have relatively little clear and uncontested information about Scotus's life. The first certain date that we have is 17 March 1291, on which Scotus was ordained to the priesthood by Oliver Sutton, Bishop of Lincoln, at the priory of St Andrew in Northampton. Bishop Sutton had held ordinations in Wycombe (somewhat closer to Oxford, where Scotus was studying) on 23 December 1290, so the conjecture—and it is no more than a conjecture—is that Scotus reached the canonical age of twenty-five between those two dates.[1] Thus his birth is commonly said to have taken place between 24 December 1265 and 17 March 1266, and although there is certainly nothing to rule out the possibility that Scotus was in fact older than twenty-five when he was ordained,[2] these dates fit well with other accounts that Scotus was born "about the year 1265"[3] in Duns, in the Scottish Borders.

Accounts of Scotus's early studies are so contentious and rely so heavily on conjecture that I will simply pass over them in silence[4] and turn to the culmination of his studies,

[1] Callebaut, "A propos du Bx. Jean Duns Scot," 319; Wolter, "Reflections," 5.
[2] Sheppard, "Vita Scoti," 294. [3] Wolter, "Reflections," 6 n.
[4] See Sheppard, "Vita Scoti," 297–311, for details of the controversies.

for which we have better information. Scotus lectured on the first two Books of the *Sentences* of Peter Lombard at Oxford in 1298–99 and began revising those lectures for publication almost immediately, probably completing his revisions of Book I by the end of 1300.[5] In 1302 Scotus left Oxford for Paris and lectured on the *Sentences*—probably in the order Book I, Book IV, Book II, Book III—completing his lectures in 1303.[6] In late June of 1303 Scotus, along with eighty-two other Franciscan friars, was forced to leave Paris for taking the pope's side in the dispute between Philip IV of France and Pope Boniface VIII. Where Scotus went during his exile is not clear, though most scholars believe that he returned to Oxford.[7] He was back in Paris in 1304.

In a letter dated 18 November 1304, the newly elected Minister General of the Franciscan order, Gonsalvus of Spain (Gonsalvo de Balboa), nominated Scotus to be the next Franciscan regent master at the University of Paris. This nomination was successful, and Scotus accordingly received his doctorate and incepted as master, probably in early 1305. It was the privilege of regent masters to conduct quodlibetal disputations, and we have one set of *Quodlibetal Questions* from Scotus, which must have been disputed between Lent 1305 and Lent 1307.[8]

In 1307 Scotus left Paris for the Franciscan house of studies at Cologne. Though a number of intriguing theories have been suggested to account for the "suddenness of his departure from Paris at the height of his career,"[9] there is almost certainly no real mystery about it: it was common practice for the Franciscans to move their best theologians from one house to another. Scotus died at Cologne in 1308; the date of his death is traditionally given as 8 November. His remains rest in the *Minoritenkirche* in Cologne in a sarcophagus that bears the epitaph *Scotia me genuit, Anglia me suscepit, Gallia me docuit, Colonia me tenet*: "Scotland begot me, England received me, France taught me, Cologne holds me."

Scotus's works

We have at least three distinct versions of Scotus's commentary on the *Sentences*. The earliest is the *Lectura*, which presents the text of his Oxford lectures on Books I and II. (There is also a *Lectura* on Book III, sometimes called the *Lectura completa*; it is apparently a separate work.) Scotus revised his Oxford lectures for publication and added commentary on Books III and IV. This text is known as the *Ordinatio* (from *ordinare*, to set in order). We have student reports of his lectures at Paris, known as the *Reportatio*.

[5] For the evidence that Scotus was at Oxford from 1298 through 1302, see Sheppard, "Vita Scoti," 311–13.

[6] Cross, *Duns Scotus's Theory of Cognition*, 1–2.

[7] Wolter, "Reflections," 11; Sheppard, "Vita Scoti," 316–18.

[8] Quodlibetal disputations were held in Lent and Advent. For the dates, see Noone and Roberts, "John Duns Scotus' *Quodlibet*," 132.

[9] Wolter, "Reflections," 12–13. For details of the theories, see Sheppard, "Vita Scoti," 319–23.

Given that the Paris lectures were later than the Oxford lectures, one would expect that the *Reportatio* represents Scotus's most mature thought. But in fact Scotus was still revising the *Ordinatio* while at Paris—a task he never completed—and there is reason to think that Books III and IV of the *Ordinatio* are actually later than the corresponding texts of the *Reportatio*. Both the *Reportatio* and the *Ordinatio* exist in various manuscript traditions that transmit competing annotations, additions, cancellations, and corrections, as do the *Quodibetal Questions*.

The other work from which I have translated material for this collection, the *Questions on the Metaphysics*, cannot be dated as a whole to any particular point in Scotus's career, but Book IX is at least later than 1300.[10]

The texts

Happily, the critical edition of the *Questions on Aristotle's Metaphysics* is excellent, and I have translated directly from it, without adopting so much as a single variant reading.

After that, things get more difficult. There is no critical edition yet of the *Quodlibetal Questions*, so for *Quodlibet* 18 I have used the editions of both Alluntis and Frank, along with three manuscripts from the Bayerische Staatsbibliothek: Clm 8717 (consulted by both Alluntis and Frank), Clm 23572, and Clm 26309 (consulted by Frank). I am very grateful to Tobias Hoffmann for providing me with scans of the Frank edition and of these manuscripts. I have resolved discrepancies between Alluntis and Frank by appeal to the manuscripts and by a consideration of the sense.

For *Reportatio* IA I have used the edition of Wolter and Bychkov. Although I have adopted a few variant readings in the complete translation that appears on the website, I have not done so in the excerpt presented here. I have not included any texts from *Reportatio* II, III, or IV; the lack of a modern edition and the confused state of the texts made this decision seem the only responsible one.

As for the *Ordinatio*, there is a critical edition, completed at last in 2014; but it is not without problems. The editors' punctuation and paragraphing is unreliable, and one sometimes cannot help but draw the conclusion that they do not understand the argument at hand. As Richard Cross has noted, the editors so privilege Codex A (Assisi, Biblioteca communale 137) that they will print nonsense from A when other manuscripts—sometimes even *all* the other manuscripts—give a sensible reading.[11] And this privileging of A continues even after *Ordinatio* III, d. 7, the point at which the editors themselves admit that A becomes unreliable. Since about half the material translated in this volume comes from the *Ordinatio* after Book III,

[10] *Quaestiones Super Libros Metaphysicorum Aristotelis I–V*, ed. R. Andrews, G. Etzkorn, G. Gal, R. Green, F. Kelley, G. Marcil, T. Noone, R. Wood (St. Bonaventure: The Franciscan Institute, 1997), xlii–xlvi.

[11] Cross, *Duns Scotus on God*, 218–19 n. 37.

d. 7, it is important for me to elaborate on the deficiencies of the edition and to justify my frequent recourse to the readings of other manuscripts, among which Codex Q (Paris, Bibliothèque Nationale de France, cod. lat. 15854) is paramount.[12]

In their prefatory matter for volume X, which contains their edition of Book III, dd. 26–40, the editors note that after the first seven distinctions in Book III, the scribe of Codex A apparently no longer had access to the *Liber Duns* or *Liber Scoti* by which he had, up to that point, been able to correct the text before him. Instead, he relied on some other manuscript. And that he does not fully trust either the text before him or this other (unidentified) exemplar is evidenced by the fact that the scribe "frequently manifests his hesitation either in the margin or in the text itself." After offering twenty-something examples of this phenomenon, the editors go on to say that

> the scribe's uncertainty and (to a certain extent) his lesser degree of faithfulness in transmitting a text that he has compared not with the *Liber Scoti* but with some other exemplar is also evident from the rather frequent errors or incongruities, such as omissions of words, changes, additions, substitutions, clarifications, repetitions, incorrect interpretations of abbreviations, etc., as can be readily seen by looking at the apparatus of variants.

Note the oddity of this argument. The fact that there are "frequent errors or incongruities" in the text of A is supposed to be evidence that the scribe grew uneasy with his text, and less faithful to it, in the absence of the *Liber Scoti* with which to compare it. Surely, though, what the errors and incongruities tell us about the scribe's text—namely, that it wasn't very good—is more important than what they tell us about the scribe's state of mind.

In any event, the editors acknowledge that the text of A after III, d. 7, is marred by "frequent errors or incongruities." And yet the very next thing they say is this: "Be that as it may, Codex A, on account of its origin and authority, always remains the foremost leader and guide in discovering the text of Scotus." This is an exceedingly strange statement. By the editors' own lights, the text of A from III, d. 8, on is full of mistakes, it was transmitted in the absence of the very thing that made the earlier parts of A reliable and authoritative—the availability of the *Liber Scoti* as a source by which to correct the text at hand—and *the scribe of A himself knew he had a bad text on his hands*. It is therefore irresponsible for them to insist, in spite of all these things, on continuing to privilege A over all the other manuscripts.

After the passage just quoted, the editors turn to "the text of Scotus in other codices." They first note three kinds of involuntary scribal errors: misinterpretations of abbreviations (because the scribes are either bad at theology or bad at paleography), double- or even triple-barreled renderings of over-abbreviated abbreviations (just to be safe), and the omissions and repetitions occasioned by homoioteleuton, line-jumpings, and the like. That brings us to Codex Q:

[12] I have written about this at much greater length, with an analysis of a number of examples, at http://ethicascoti.com/edition.pdf.

A fourth category of variants comprises all those voluntary changes that certain redactors introduced into the text of Scotus, and especially the redactor of the text that Codex Q and others along with it transmit. They did this, to be sure, with the intention of making certain difficult statements easier to understand, rendering more elegant the occasional awkward manner of expression, correcting errors or infelicitous forms in style or grammar, explaining a rather obscure meaning, or, finally, completing certain expressions.

In other words, the frequent errors of A have been corrected in Q, the frequent infelicities made felicitous. But these changes, the editors tell us, were *voluntary*: the redactor made them for purposes of his own, and therefore presumably they lead us further away from, rather than toward, the authentic text of Scotus.

So what the editors would have us believe is that the error-ridden text of A presents the authentic text of Scotus—notwithstanding the reasons the editors themselves offer us for concluding that something was amiss in the text(s) the scribe had before him, *and that the scribe himself knew this and was bothered by it*—and that the far more satisfactory text of Q represents an unauthorized tidying-up that leads us away from the authentic text. But we have absolutely no reason to believe that the text transmitted in A is closer to Scotus's or that the text transmitted in Q departs from Scotus's. We have no reason to believe that the superior readings in Q are the products of an interventionist scribe rather than faithful transmissions of a better text than the one possessed by the dissatisfied scribe of A.

Notice, indeed, what the editors are asking us to believe. They are asking us to believe that an otherwise unknown fourteenth-century scribe was a more capable thinker than John Duns Scotus, better able to supply the right kinds of examples, to complete arguments consequentially, to treat the difference between necessary and sufficient conditions properly. For the Scotus of A is frequently bad at all those things; the Scotus of Q is quite adept. If it were just a matter of grammar and style, the editors' view would not be quite so implausible; all of us who work on Scotus know that his Latin can be pretty rough (though even Scotus knows the difference between *enim* and *autem*, between *vel* and *et*, which are frequently confused in A). But we are talking about basic philosophical skill here. *The Scotus of Codex A is a frequently inept reasoner; the Scotus of Codex Q is a capable philosopher and theologian.* And the Subtle Doctor was not a frequently inept reasoner.

For these reasons I have treated the Vatican edition as a tremendously useful point of departure but by no means as a last word, and I have ventured to adopt a fair number of variant readings—especially, though by no means exclusively, in Books III and IV—as indicated in the notes.

The translations

I have adopted a few conventions that I should explain here. I have frequently (though not invariably) translated *videtur* as "evidently," which has a similar semantic range in

English, from "It seems to be the case (but isn't)" through "It seems to be the case (and indeed is)" to "It is obviously the case." For *evidenter*, then, I have had to make do with "manifestly." "Immediately" always represents *immediate* and has the sense "directly, without any intermediate"; *statim*, which indicates temporal rather than logical, causal, or epistemic immediacy, is always translated as "straightaway."

I translate *rectus* as "correct" and *rectitudo* as "correctness" whenever possible, though sometimes "right," "rightness," and even "rectitude" were unavoidable. No difference in meaning is intended (though likewise none is ruled out—how Scotus uses his terminology, and whether it has near analogues in the use of cognate words in present-day ethics, are large questions that I do not mean to pronounce on here). *Honestum* is either "intrinsically worthy" or "honorable," depending on which characterization of the *honestum* is most prominent in a given passage. *Nolle*/*nolitio* is always "will-against"/"willing-against" (with the hyphen), so that there can be no confusion with *non velle*, "not to will," "fail to will." It is particularly in such contexts that the distinction between "I can not φ" and "I cannot φ" is crucial, the former meaning "I am able not to φ, I can refrain from φ-ing" and the latter "I am unable to φ."

I have silently expanded Scotus's references, giving (for example) the verse in addition to the chapter when he cites Scriptural texts and section numbers in addition to book and chapter numbers when he cites Augustine. References to civil and canon law often conclude with the relevant paragraph's opening word(s), which I have left in Latin (the words are not typically significant in themselves, but only as a way to pinpoint a particular paragraph, and so an English translation would simply be mystifying).

Other texts not included

Two texts not translated here deserve particular mention. I have not included a translation of Book II, d. 25, in which Scotus discusses the causal contributions of intellect and will to the act of choice. There is a critical edition of the *Lectura* version of this discussion, but Scotus did not revise that question for the *Ordinatio*. We know that Scotus changed his mind on this topic when he lectured on it again at Paris,[13] and so the Oxford discussion is superseded by the Paris discussion; but (as I have noted) I am not confident enough in what we know about the *Reportatio* to venture on a translation of the Paris discussion here. It is interesting to note that the references to II, d. 25, that occur in the *Ordinatio* material translated here all seem to suggest Scotus's Oxford view rather than his Paris view—though, as it happens, only minor cosmetic changes would be required if all those references were to be either removed or else updated to reflect the changes in Scotus's teaching at Paris.

[13] Dumont, "Did Scotus Change His Mind?"

The situation is somewhat similar for Scotus's discussion of two questions in Book IV: "Do all human beings will happiness supremely and necessarily?" and "Is everything that is desired, desired on account of happiness?" There is no *Lectura* on Book IV, and Scotus did not dictate those questions for Book IV of the *Ordinatio*. We therefore have only the *Reportatio* text for these questions (IV, d. 49, qq. 8–9), and that text exists in two notably different manuscript traditions: *Reportatio* IV A (found in the Wadding edition) and *Reportatio* IV B (found in the Mair edition). I find the A text to be much more philosophically competent than the B text—the reasoning is clearer, the writing is less elliptical, and the arguments are set forth more fully[14]—but in the absence of a critical edition and a definitive accounting of the manuscripts, I have chosen not to include these questions. Instead, I have provided the A text in English (the Latin is readily available) and the B text in both Latin and English on my website (ethicascoti.com); anyone who takes the time to compare the A and B texts will agree, I think, that I was wise to leave this material out of this volume. Fortunately, the topics covered in those questions are fully discussed in other selections included here.

For reasons of space I have left out several interesting, but arguably less central, texts that I have translated for the website. Of particular interest are Scotus's discussion of hope in *Ordinatio* III, d. 26, q. un., "Is hope a theological virtue distinct from faith and charity?" and his analysis of the obligation to love our enemies in *Ordinatio* III, d. 30, q. un., "Must we love our enemies through charity?" I have also included sections omitted from questions translated only in part in this volume.

[14] In his new edition of *Reportatio* IV (which at the time of this writing is complete through d. 17), Oleg Bychkov likewise prefers A, for both textual and pragmatic reasons: "The reasons for choosing the 'A' version, or *Rep*. IV-A, are that this version was used for the Wadding-Vivès edition; that the Vatican edition of the *Ordinatio* refers to this version (as it was occasionally excerpted for inclusion in the *Ordinatio*); and that Allan Wolter used this version for his work" (*The Report of the Paris Lecture: Reportatio IV-A*, ed. Oleg V. Bychkov and R. Trent Pomplun, 2 vols. [St. Bonaventure, NY: Franciscan Institute, 2016], x–xi).

1

Questions on Aristotle's Metaphysics IX, q. 15

"Is the distinction Aristotle draws between rational and non-rational powers appropriate?"

Is the distinction that Aristotle draws between rational and non-rational powers—that rational powers are powers for opposites, whereas non-rational powers are for one of a pair of opposites[1]—appropriate?

Arguments that it is not: 1

First, that it is not correct as regards rational powers: something that has a power can do what the power is for; therefore, it could do opposite acts [simultaneously].

One might say, just as Aristotle appears to say in the text [*Metaphysics* IX.5, 1048a5–10, 21–4], that it does not have the power to do opposites at a given time, but rather that it has the power at a given time to do opposites. 2

But on the contrary: take the 'now' in which one opposite is present. I ask whether the other can be present in that very same 'now' or not. If it can, the conclusion has evidently been established: there are opposites at the same time. If it can't, it follows that this power *in this 'now'* is for only one of the pair of opposites.

Also, second: there is no power that cannot issue in some act. But since this power for opposites can't issue in opposite acts at the same time, it evidently cannot issue in any act at all unless it is determined, as is argued in the text in chapter 4 [*Metaphysics* IX.5, 1048a5–10, 21–4]. But having been determined, it is clearly a power for only one of the opposites. Therefore, insofar as it is a power at all, it is evidently a power for only one of the opposites. 3

Also, third: it would then follow that the will could will the opposite of the end and could will evil under the aspect of evil, just as it can will their opposites. The 4

[1] *Metaphysics* IX.2, 1046b2–6.

consequent is false, because, as Aristotle says in XII.4 [XII.10, 1075a20], "freemen are not allowed to act at random," etc.

5 Against the other part of the division, that is, non-rational powers, first:

The sun can issue in opposite effects here below, for it melts ice and hardens clay. Nonetheless, the sun's power is non-rational.

6 Also, later, in chapter 7 [*Metaphysics* IX.8, 1050b8], the Philosopher claims that "every power is a power for contradiction," and he makes it clear that this is true even of active powers.

7 Also, according to Aristotle [*Metaphysics* IX.2, 1046b7–15], a rational power is not said to be a power for opposites per se, but a power for one opposite, a positive feature (*habitus*), per se, and for the other, a privation, per accidens. But a non-rational power can be a power for opposites in exactly this way: for example, cold is a per accidens cause of heat and throwing a ball against the wall is a [per accidens] cause of its rebounding. Therefore, the distinction Aristotle draws is not appropriate.

8 In favor of the affirmative view are the Philosopher's words in the text [*Metaphysics* IX.2, 1046a36–b3].

I. Reply to the question

A. Article 1: The distinction as Aristotle drew it

9 In reply to this question, granting that the distinction is appropriate, we must investigate, first, how it ought to be understood and, second, what its cause is.

1. HOW THE DISTINCTION OUGHT TO BE UNDERSTOOD

10 Regarding the first topic, it is important to know that an active power, whether it is a power for an action or for a terminus that is produced, is a power *for* X in the following way: so long as its nature remains intact, it cannot be an active power for anything other than X, and it has the power for X in its own right. For example, so long as coldness remains coldness, it cannot be an active power for heat or a power that elicits heating, given that it is not an active [power for heat] in its own right. For whatever the circumstances might be with respect to coldness, although something else might contribute something to the being of heat, coldness would never contribute to it.

11 So an active power is called a power for opposite products (whether contrary or contradictory) which, while remaining one nature, has a first terminus under which both opposites equally fall. But an active power is a power for opposite actions which, while remaining one, is sufficient to elicit such actions. And if the action of a power that is properly active is called an act in the sense I explained in the reply to the third

argument in question 4,[2] then every power that is a power for opposite actions is a power for opposite acts, but not vice versa.

But you must understand this: a power is for opposite actions—that is, for an action and its negation—in the way that will become evident in the discussion of the second topic [nn. 24–5, 31–4]. And what I am calling an active power here is not a relation that is counted according to the number of correlatives, but rather the absolute nature that is the proper foundation of the multiple relations that are to opposite effects. 12

2. THE CAUSE OF THE DISTINCTION

Concerning the second topic, Aristotle [*Metaphysics* IX.2, 1046b10–15] evidently claims that the cause of the distinction is this: a natural form is only a principle for assimilating to one opposite in terms of natural similarity, as the form is what it is and not the opposite. 13

By contrast, a form in the intellect, for example, knowledge, is a principle for assimilating opposites in terms of intentional similarity, as the form itself is virtually a likeness (*similitudo*) of opposite objects of cognition. For there is one and the same science of contraries, as there is of privative opposites, since one of two contraries includes the privation of the other. Now an agent is active with respect to that which it can assimilate to itself in accordance with the form by which it acts; and it is on that ground, apparently, that Aristotle accounts for the difference under discussion. 14

But there are quite a few arguments against this explanation of the distinction: 15

First, a natural form can be a principle for assimilating virtual opposites, as is evident in the case of the sun.

Second, this explanation evidently means that only intellect or knowledge is a rational power, which is false, as I shall explain below [n. 41]. 16

He also seems to make this claim more explicitly in chapter 4 [*Metaphysics* IX.5, 1048a10–11], where he concludes that a rational power is for opposites. It will do nothing unless it is determined to one or the other, and what determines it, he says, is "appetite or *prohairesis*." So he apparently excludes *prohairesis* from counting as a rational power in the sense of a power for opposites. 17

This becomes even more explicit through what follows [*Metaphysics* IX.5, 1048a11–16], where he evidently says that a rational power, once it is determined in this way, acts necessarily, just as a non-rational power acts necessarily by its very nature. Therefore, it seems that the aggregate of the intellect (which he says is a power 18

[2] See qq. 3–4, nn. 48–9. Scotus has in mind here the sense of 'act' as the actuality (first act, or form) brought about in a patient by the active power.

for opposites) and the appetite that determines it (which he says acts necessarily) is unqualifiedly not a rational power.

19 Third, the proof that the intellect has to do with contraries is evidently not valid, though the intellect does have to do with privative opposites. For a contrary, even if it does include the privation of the other contrary, does not do so strictly. Rather, it is a positive nature, and thus there is a proper cognition of its own entity, not a cognition strictly through the other opposite. Indeed, it is cognized only per accidens when it is cognized through the other opposite.

B. Article 2: The distinction in itself

1. THE DIFFERENCE BETWEEN NATURE AND WILL

20 As for the second article, we must investigate, first, the difference in itself, and second, what Aristotle meant.

21 On the first topic, it is important to know that the fundamental distinction within active powers is on the basis of the different ways in which they elicit their activity—the fact that they act with respect to this or that [object] does distinguish powers in a way, or at least show that they are distinct, but it does not distinguish them as immediately [as does the distinction in how they elicit their activity]. For the relation of a power to the object with respect to which it operates is mediated by the activity that the power elicits in this way or that.

22 Now there can be only two different ways in which a power elicits its proper activity: either (1) it is of itself determined to acting, such that, as far as it depends on the power itself, it cannot not act when it is not impeded by something extrinsic, or (2) it is not determined of itself, but can do this act or an opposite act, and can also act or not act. The general term for the first sort of power is 'nature'; the second is called 'will.'

23 Hence, the fundamental division of active principles is into nature and will. In keeping with this, Aristotle in *Physics* II [197a32–b13] identifies two per accidens moving causes: chance, which pertains to nature, and fortune, which pertains to purpose or will.

24 Now if one were to ask what causes this distinction—why, that is, nature is only of one (that is, of itself it is determinately a power for whatever effect or effects it is a power for) whereas will is of opposites (that is, of itself it is indeterminately a power for this action or its opposite, or for action or non-action)—the right answer is that there is no cause. For just as an immediate effect is related to its immediate cause per se and primarily and without any intermediate cause—since otherwise there would be an infinite regress—so too an active cause is evidently related in the most immediate way possible to its own action insofar as it elicits that action. Nor are we to assign any cause of why it elicits in this way other than simply that it is that kind of cause, which is the very thing whose cause this question is asking about.

Therefore, just as what is hot heats because it is hot, and the proposition "what is hot heats" is not mediate, but instead is a primary proposition that is per se in the fourth mode,[3] so too is the proposition "what is hot heats determinately of itself." And the same goes for "the will wills" and "the will does not of itself will determinately by a necessary determination."[4] 25

To this one might object, first: the proposition "a will wills" is contingent. If the will is not of itself determined to willing, how is any contingent proposition [to the effect that it wills] immediate? 26

And second: Why is this indeterminacy posited in the will if it can't be proved on the basis of the nature of the will? 27

Reply to the first objection [n. 26]: a contingent truth does not follow from necessary truths, obviously. So take some contingent truth. If it is immediate, my point is made. If not, set forth the intermediate. At least one premise that supports it will be contingent; otherwise, a contingent truth would be inferred from [only] necessary truths. Now if that contingent premise is itself mediate, one premise that supports *it* will be contingent, and thus there will be an infinite regress unless it terminates in some immediate contingent truth. 28

Confirmation: in *Posterior Analytics* I [89a21–2] Aristotle holds that there can be belief *propter quid*, that is, on the basis of immediate propositions, and belief *quia*, on the basis of mediate propositions. Thus in the present case, take "the will wills *a*." If there is no cause between the extremes, my point is made. If there is a cause, say, "the will wills *b*," one must go further. But one must come to a stop somewhere. Where? Why does the will will that? [At the point at which one comes to a stop] there will be no cause other than that the will is the will. And yet if that last proposition were necessary, it would not be the only antecedent for a contingent proposition. 29

In reply to the second objection [n. 27]: it is proved a posteriori. For someone who wills experiences that he is able not to will, or to will-against, as I have explained in discussing the freedom of the will at greater length elsewhere.[5] 30

Second, what I said above [n. 24] raises a question: how is such a cause reduced to act if it is indeterminate of itself to acting and not acting? I answer: there is an indeterminacy of insufficiency, which comes from potentiality and a lack of actuality; this is the way in which matter that does not have a form is indeterminate with respect to carrying out the action of that form. There is another indeterminacy of superabundant sufficiency, which comes from unlimitedness of actuality, whether unqualifiedly or in a certain respect. 31

[3] Thomas Aquinas, *Anal. post.* I lect. 10 n. 7.
[4] Cf. *Ordinatio* I d. 8 p. 2 q. un. n. 299; *Quodl.* q. 16 nn. [13–14].
[5] *Lectura* I d. 39 qq. 1–5 n. 54; *Reportatio* IV d. 49 q. 9 nn. 24–40; *Quodl.* q. 16 nn. [1–18].

32 Something that is indeterminate in the first way is not reduced to act unless it is first determined to a form by something else; something that is indeterminate in the second way can determine itself. For if it could do this if it had a limited act, how much more could it do so if it had an unlimited act, since then it would lack nothing that was unqualifiedly a principle of acting? Otherwise, God, who is supremely undetermined—with the indeterminacy of unlimitedness—to any action, could not do anything, which is false.

33 Here is an example of this. Fire causes heat, and there is no question of something extrinsic by which it is determined to acting. If it were then given the perfection of cold, without losing any of the perfection of heat, why could it not be determined by itself to heating just as before? Granted, this example is not a perfect analogy, as I will explain in replying to the preliminary argument [n. 43].

34 Now the indeterminacy that is ascribed to the will is not the indeterminacy of matter or of imperfection insofar as the will itself is active; rather, it is the indeterminacy of exceptional perfection and of a power that is not bound to a determinate act.

2. WHAT ARISTOTLE MEANT

35 But how do the things I have just said comport with Aristotle's view? He does not distinguish between nature and will but between non-rational and rational powers, and he understands only the intellect as a rational power, as the second argument given above [nn. 16–18] evidently shows.

36 Response: intellect and will can be understood as related either to the proper acts that they elicit or to the acts of other, inferior powers over which they exercise some causality: the intellect by presenting and directing, the will by inclining and commanding. The first relationship is obviously the more essential one. And the intellect, so considered, counts as nature. For it is of itself determined to understanding, and it is not in the intellect's power to understand and not to understand [simples] or, with regard to propositions, where it can have contrary acts—assent and dissent—those contrary acts are not in the intellect's power. Accordingly, even if (as Aristotle evidently says) there is a single cognition of opposite objects, the intellect is still not indeterminate of itself with respect to that cognition. Indeed, it necessarily elicits that intellection, just as it would necessarily elicit another intellection that would be of only one of those opposites. The will elicits its proper act in exactly the opposite way, as I explained earlier [nn. 22–34]. Hence, speaking of the two powers in this way, we affirm only two productions in the Godhead,[6] and we say that intellect is the same principle as nature. But Aristotle was evidently not speaking in terms of this first relationship.

[6] *Lectura* I d. 2 pars 2 qq. 1–4 nn. 202–5; *Ordinatio* I d. 2 pars 2 qq. 1–4 nn. 300–3.

The second relationship seems quasi-accidental, for two reasons. First, these powers 37
are evidently related to acts of other powers only through their own acts, which are prior to the acts of the other powers. Second, the intellect in particular, understood in terms of this second relationship, does not have the character of an active power, properly speaking, as we discussed in Book VII, question 2, chapter 6.[7]

Aristotle was evidently speaking in terms of this second relationship when he claimed 38
that some sort of knowledge of opposites is required first. But that knowledge is of itself insufficient for causing any external effect, for, as he argues in chapter 4 [*Metaphysics* IX.5, 1048a8–10], if it were sufficient, it would bring about opposite effects. This evidently does not follow unless the causality of the intellect, even when it knows opposites, is such that the intellect is determined to bring about as external effects the things it knows. And thus not only is it not rational with respect to its own act, it is also not completely rational with respect to the external act that it directs. Indeed, strictly speaking, it is also non-rational with respect to the external act; it is rational only in a certain respect, insofar as it is a prerequisite for the act of a rational power.

What follows [this prerequisite act on the part of the intellect] is the will as 39
determining: not that the power of the will is of itself determined to one—and that consequently the aggregate of the intellect, which is of opposites, and the will is [determinately] of one [of the pair of opposites], as was claimed above [n. 18]—but that the will, which is indeterminate with respect to its own act, elicits that act and through that act determines the intellect's causality with respect to bringing about its external effect.

This is why Aristotle says, "I call this desire or *prohairesis*," that is, choice; he does not 40
call it "will," that is, a power. And so if Aristotle does call the intellect a rational power, the distinction between rational and non-rational powers must be understood in the way explained above [nn. 38–9]: the intellect is not a rational power either with respect to its own act or insofar as through its own act it cooperates with the act of an inferior power (taking "its own act" strictly), but rather in both respects it counts as nature. It does, however, count as a rational power insofar as its own acts are prerequisites for acts of the will.

If, by contrast, we understand 'rational' as meaning "with reason," then the will is 41
properly rational. And the will is a power for opposites, not only with respect to its own act but also with respect to the acts of inferior powers. It is not a power for opposites in the way that nature is, like the intellect, which cannot determine itself to one or the other of a pair of opposites; rather, it can freely determine itself. And this is why it is a power: it can do something, for it can determine itself. The intellect, by contrast, is not a power with respect to external things; for if it has to do with

[7] Or rather, see Book VI q. 2 nn. 27–8, 32.

opposites, it cannot determine itself, and unless it is determined, it cannot do anything externally.

C. Reply to the objections against Aristotle's approach

42 On the basis of these remarks I can reply to the arguments given above against Aristotle's approach.

43 To the first argument, the one about the sun [n. 15], I reply that if a natural form is unlimited and is a principle of opposites in materials disposed to receive such opposites, it is determined to produce the opposites just as a form that is a principle of one thing is determined to produce that one thing. For it does not have the power to bring about either this or that form when a patient that is receptive to both forms is present, just as it would not have such power if it could bring about only one form. The will, by contrast, is not a principle that is of itself determined to its action, whichever of the two opposites within its power it actually does; rather, it has the power to determine itself to either of them. And this shows clearly how the analogy given above, about heat and cold contained unitively in one and the same thing [n. 33], fails. And indeed, not to belabor the point, there simply is no suitable analogy that could be offered, since will is distinguished from the class of active principles that are not will on the basis of their opposite ways of acting.

44 And for this reason it seems perfectly ridiculous to apply universal propositions about active principles to the will on the grounds that there is no counterexample to those propositions in anything other than the will. For the will is unique in being unlike other active powers, and so one should not deny that the will is *F* just because other active powers are not *F*. There is, after all, no contradiction involved in asserting that a created active principle is capable of the perfection that I have attributed to the will, namely, that not only is it not determined to one effect or act, because it has many effects and acts in its power, but it is also not determined to any of the effects and acts for which it has sufficient power. For who would deny that an active principle is more perfect the less dependent, determined, and limited it is with respect to its act or effect? And if you grant this to be true of a power that is unlimited with respect to many, contrary effects, though naturally determined to any given one of them, how much greater perfection should you acknowledge in a principle that, in addition to this first kind of unlimitedness, has a second? For this contingency is nobler than necessity, as I discussed in Book V in the question raised there about the chapter "On the necessary,"[8] arguing that it is a matter of perfection in God that he causes nothing necessarily. Therefore, given that this perfection that we attribute to the will is not impossible for a created active principle, and that the will is supreme among such principles, reason demands that we attribute such

[8] Book V q. 3 nn. 26–9.

perfection to the will. And this explanation is better than the one given earlier about heat and cold united in a single thing [n. 33].

On this basis the argument that Aristotle seems to give in the text [n. 2] can be given a more expansive treatment, as follows. If the intellect through one and the same cognition has in some way to do with opposites, as presenting them, it follows that a more indeterminate active power can have to do with opposites in a more excellent way: namely, that such a power, while remaining a single power, can determine itself to either of the opposites presented to it. Otherwise, the first power for opposites would evidently have been given in vain, since without the second power it could not do either of them. Thus, this is an argument from the lesser, not an argument from the proper cause, since knowledge is not the proper cause of this distinction. 45

Reply to the second argument [nn. 16–18]: Aristotle excludes the will from counting as a rational power only if you are talking about what is *incompletely* a rational power, namely, what has knowledge of opposites. Now he says that this incomplete rational power does not cause an external effect unless it is determined by something else. I ask: what is the source of this determination through choice? It has to be from a power that chooses, and thus a power distinct from reason. For reason is not what determines, since reason has to do with opposites with respect to which it cannot determine itself, let alone determine something other than itself; or, if it did determine itself, it would bring about opposites at the same time, as Aristotle argues about action [*Metaphysics* IX.5, 1048a21–4]. And the intellect does not necessarily determine that other thing to that opposite, since if it did, the intellect would not be even in remote potentiality to opposites. So the other thing contingently determines itself, and once it has become determinate through its own act, it consequently determines the intellect. 46

So Aristotle indicates that a rational power is of itself a power for opposites in the sense that it determines itself to one or the other, and he affirms that once it has determinately elicited its act, it is determined with respect to the act of an external power that of itself was a power for opposites in the sense that, necessarily, it could not determine itself. And thus in the course of showing in chapter 4 how an incomplete rational power proceeds to act, he evidently indicates quite clearly that there is another rational power that is complete in terms of the distinction he draws here, and that those two powers, with their acts, cooperate in producing the external effect. Properly speaking, the executive power, which is rational by participation, has no power for the opposite; rather, the full character of a power for opposites is formally in the will. 47

As for what Aristotle goes on to say [*Metaphysics* IX.5, 1048a11–15]—that a rational power that has been thus determined is necessarily a power for one thing, and that "what it chiefly desires is what it will do"—one could say that this is not true with absolute necessity. For just as the antecedent, "It wills this," is not necessary (if it is 48

true at all), so too the consequent is not necessary. If the antecedent is true necessarily, the consequent, "It does this external act," is also necessary. But if what follows necessarily is "One wills this external thing, therefore, if not impeded, one does it," Aristotle would merely be claiming that no effect is brought about except by a cause that has been determined to that effect before producing it (understanding 'before' as indicating natural priority), with the sole exception of the will, which follows the apprehension of opposites and, according to Aristotle, determines which external effect will follow.

49 One could explain his remarks at the end of chapter 4 [*Metaphysics* IX.5, 1048a21–4]—"Hence, it is not the case that if one wills opposites, one necessarily does them," etc.[9]—along the same lines. For why *doesn't* this follow in the case of the will? And yet he argues earlier, in the beginning of the chapter on rational powers [*Metaphysics* IX.5, 1048a8–10], that doing opposites at the same time is a good basis for the distinction [between rational and non-rational powers], because a power will act as it has the power to act, though in fact no power can act in this way.[10]

50 But as I have explained [nn. 36, 41, 46–7], an incomplete rational power is of itself a natural power with respect to opposites. For that reason, as far as the power itself is concerned, it is not only a power at the same time for opposites but even a power for opposites at the same time.[11] And so if of itself it did those things, it would do them at the same time, in the same way that the sun is a power for opposites at the same time in diverse recipients and would bring about those opposites at the same time if those recipients were brought close to it; and if it were a power for both opposites equally and one and the same patient equally receptive of both were brought near to it, either it would do nothing or it would bring about both opposites in it at the same time. So it is in the present case.

51 One might object that the intellect is not a power for both opposites equally, and so it would act according to whichever has more influence over it. I reply that in the case of the one cognition of a positive feature and its privation, the intellect is indeed not

[9] The gist of the argument as we have it in both the Latin Aristotle and the exposition of Antonius Andreas is that someone who wills two opposites will not do them, because there is no power to do two opposite things simultaneously. There is nothing about *necessity* in either version of the text, and the editors wonder whether Scotus is citing a corrupt text; but the notion of necessity plays no role in what follows, so the point seems to be moot.

[10] The argument here is opaque even by Scotus's standards, and if there were better MS support for doing so, I would delete the last clause. The argument in Aristotle to which Scotus refers here goes as follows (I quote Ross's translation): "For the nonrational potencies are all productive of one effect each, but the rational produce contrary effects, so that if they produced their effects necessarily they would produce contrary effects at the same time; but this is impossible." (Note that necessity *does* play a role in this argument; that Scotus has jumbled this passage together with the one he quotes in the first sentence of the paragraph is a better explanation for the intrusion of necessity in that sentence than a speculative appeal to a corrupted text.)

[11] Cf. *Lectura* II d. 25 q. un. nn. 36–7; *Ordinatio* I d. 2 pars 2 qq. 1–4 nn. 346–51; *Reportatio* II d. 25 q. un. ad 4 n. [23]; *Additiones magnae* II d. 25 q. un. nn. [10, 25].

related to both equally: it cognizes the positive feature per se and the privation per accidens. But it can also have a cognition of one opposite and a distinct knowledge of the other, and thereby it can be the cause of opposites.

One might also object, "How, then, will Aristotle's inference [that rational powers deal with opposites, though] not in the same way, be any good?" [I reply:] this is not how things are in the case of the will. For if it is a power for opposites virtually, it is at one and the same time a power for both of them, though not a power for both of them at one and the same time. For it is not a power for both in the mode of a natural power; rather, it can determine itself to one in preference to the other and therefore act accordingly. And perhaps this gives us a way to interpret chapter 4 so that it speaks very much in favor of the will [as a rational power], though there is evidently some material there that speaks against the will. 52

But then one might ask why Aristotle so frequently calls the intellect a rational power and does not do so for the will, even though (if my previous exposition is correct) he does imply that the will is a rational power. One could reply that an act of the intellect is typically prior to an act of the will, and it is better known to us. Aristotle quite often spoke in terms of what is more evident, and that is why we find him saying so little about the will, even though there are certain implications of what he did say which he would have drawn explicitly if he had discussed those issues. 53

The third argument offered against Aristotle [n. 19] has a true conclusion, namely, that in the case of simple apprehension there is distinct cognition of two contraries, each being cognized through its proper species. Nonetheless, if one contrary is naturally prior to the other, discursive cognition can be a source of knowledge about the other [posterior] contrary. And this is a way to interpret Aristotle's dictum in *De anima* I [411a4–5] that "the straight is the judge both of itself and of the curved." For judgment does not pertain to simple apprehension but to a comparison of propositions. For with respect to knowledge secundum quid, one thing can be apprehended by simple apprehension through the species of something else, in terms of the privation that that species includes, not of course within its essence or essential character, but as a concomitant. 54

In the first way, then, there is a single cognition of contraries: cognition of one formally and of the other virtually, as in the case of cognition of a principle and a conclusion. And if some volition—say, perhaps, choice—requires a prior judgment about what is to be chosen, one of the contraries can be cognized through the other as far as that cognition is concerned, even though one might sometimes choose contrary to that judgment. 55

In the second way there is a single cognition of contraries: cognition of one secundum quid and of the other unqualifiedly. And this cognition is all that the will needs in order to will either of the contraries, insofar as each is presented in that cognition. 56

And the will can will contraries in this way; therefore, it can also do so unqualifiedly. For the contraries are not incompatible absolutely, except perhaps by reason of such privation; they are evidently not incompatible as willable, since both are evidently willable as positive beings.

57 You might say that a rational power is a power for opposites *unless* it has been determined to one, and then it isn't. On the contrary: from this it follows that there is no distinction between rational and non-rational powers on the basis of their being or not being a power for opposites. The consequent is false according to *Metaphysics* IX; therefore, so is the antecedent.

58 Proof of the inference: non-rational powers, both active and passive, as naturally prior to a determining act, can produce opposites, as is evident from Aristotle, *De interpretatione* II [c. 13, 23a4–5], and Boethius, *Commentary on De interpretatione* VI, second edition [c. 13], where he offers the example of water, which can both chill and heat.

59 Also, if [a rational power] could not produce opposites when it is actually determinate—that is, in and for this instant—no effect in actual being would be actually contingent. The consequent is false; therefore, so is the antecedent. The falsity of the consequent is evident from the Philosopher in *De interpretatione* I [c. 9, 19a23–4], where he holds that one must qualify the proposition "Everything that is, when it is, necessarily is," because something exists contingently. Proof of the inference: an effect is said to be contingent in potentiality only in virtue of the fact that its cause has the power for the opposite; therefore, an effect is not contingent in actuality unless its cause, in actually causing, could cause the opposite in the very 'now' in which it causes that effect. But on your view it cannot now cause the opposite, because at that point it has been determined. Therefore, etc.

60 You might say that an effect is called contingent because it can fail to come about. On the contrary: it wasn't a being before [it was brought about]; therefore, it wasn't an actually contingent effect before [it was brought about]. For we are speaking now of contingency as a mode of a being in actuality, when it is in actuality, and in the very 'now' in which it is in actuality.

61 Also, the opposite of what belongs to something per se and primarily does not belong to that thing either per se or per accidens as long as the thing remains itself. Otherwise, propter quid demonstration, which derives a passion from its subject, would not proceed from necessary truths. Now being a power for opposites belongs to a rational power in its own right and primarily, as a proper passion of a rational power qua rational; for this is precisely how a rational power is distinguished from a non-rational power, according to *Metaphysics* IX. Therefore, etc.

62 Also, God can not predestine someone who is predestinate, in and for the very 'now' in which he predestined that person, notwithstanding the determination of his will

through an act of predestining.[12] Everyone agrees with this. Therefore, this determination does not take away the power for opposites.

II. Replies to the preliminary arguments

Replies to the preliminary arguments. 63

In reply to the first argument [n. 1] it is evident that a power, insofar as it is called will, is not a power for bringing about contraries at the same time, but rather a power that can determine itself to either of them. The intellect is not like this.

One might object, "Can I be not-sitting now, given that I am in fact sitting?" I reply: 64
A proposition to the effect that this is possible, understood in the composed sense as affirming that the two opposites are possible together, is false; for such a proposition states that there is a power for opposites to be true at the same time. As for the divided sense, some would say[13] that when there is sitting, the sitting exists necessarily, in keeping with the statement in *De interpretatione* I [c. 9, 19a23–4] that "Everything that is, when it is, [necessarily is]," and that nothing [that is not in fact true] is possible in that very moment, but only in some prior instant in which it was possible for [what in fact comes about] not to come about at the time in question. They evidently cannot sustain the claim that the will is *now* a power for the opposite of what is in the will. At this point it would be tedious to explain the absurdity of this position—that necessity and contingency are not proper conditions of beings when they exist, but only necessity is, and contingency never is, given that when something does not exist, *it does not exist either necessarily or contingently*—as well as how the authoritative passage from *De interpretatione* does not support their view, which rests on the fallacy of confusing the composed and the divided sense and the fallacy of inferring something unqualifiedly true from something true in a certain respect.

Alternatively, one could say that when the will has a certain volition, it has that 65
volition contingently, and that volition is contingently from the will at that time: for if it is not from the will contingently *at that time*, it is *never* from the will contingently, since it is not from the will at any *other* time. And just as that volition is in the will contingently, so too the will is at that time a power for the opposite of that volition, understanding "at that time" in the divided sense. That is, I do not mean that the will can will the opposite simultaneously with willing what it in fact wills, but rather that—again, understanding this in the divided sense—in the very instant in which it wills one thing it has the power to will the opposite rather than willing what it in fact wills, not necessarily, but contingently.

[12] Cf. *Lectura* I d. 40 q. un. nn. 4–10; *Ordinatio* I d. 40 q. un. nn. 4–10.
[13] Thomas Aquinas, *ST* II-II a. 49 a. 6 in corp.

66 To the second argument [n. 3], if this argument is meant to apply to the will, I say that the will can act without any determination prior to its act; thus, the first determination—first both in time and in nature—is in the will's performing of its own act. And so if "it cannot issue in any act at all unless it is first determined" is applied to the will, it is false.

67 If, on the other hand, the argument is meant to apply to the intellect as cognizing opposites, then it's true that the intellect cannot act with respect to something external unless it is determined by something else, since of itself the intellect has to do with external things in the mode of nature; it lacks the power to determine itself to one or the other of a pair of opposites. Therefore, it will do either both or nothing. And if one should conclude from this that the intellect is not a full-blown rational power, I will grant that conclusion in keeping with my prior discussion. Indeed, if, *per impossibile*, the intellect existed by itself, without the will but together with the inferior powers, nothing would ever come about otherwise than determinately, in the mode of nature, and there would be no power sufficient for bringing about either of two opposites.

68 In reply to the third argument [n. 5], some say that a power can have an act concerning opposites that are within the scope of its first object, which in the case of an act of willing they identify as the good, either genuine or apparent, but not an act concerning the opposite *of* its first object, which they identify as the bad qua bad. Similarly, with respect to acts they say that the will can have opposite acts, willing and willing-against, concerning anything in which something of the character of the first object of each act—namely some aspect of good [in the case of willing] and some aspect of bad [in the case of willing-against]—is found. There is no aspect of bad found in the ultimate end, and they[14] evidently hold that the will is not a rational power with respect to the ultimate end. Similarly, they evidently hold that the will can be immobilized by a habit with respect to certain things other than the ultimate end. I will not here pursue a discussion of these matters,[15] or of whether the will is determined to will the end and to will-against what is bad qua bad.

69 The reply to the fourth argument [n. 5], the one about the sun, is clear above in my response to the first objection against Aristotle [n. 43].

70 To the fifth argument [n. 7] it can be said, in keeping with what I say at the beginning of the first article [nn. 10–19], that cold never does anything toward the being of heat; it does, however, do something such that, once it has been done, something else can

[14] Cf. Thomas Aquinas, *ST* I q. 82 a. 1 in corp.; Giles of Rome, *Quodl.* III q. 15; Godfrey of Fontaines, *Quodl.* VI q. 1 in corp, q. 6 in corp., q. 7 in corp., VIII q. 16; Henry of Ghent, *Quodl.* XII q. 26 in corp. (though see also *Quodl.* XIII q. 5 in corp.).

[15] Cf. *Ordinatio* I d. 1 pars 2 q. 2 nn. 82–158; *Reportatio* IV d. 49 qq. 8–9.

cause greater heat: for example, it constricts something so that its interior heat will not be diffused, and thus the concentrated heat causes greater heat.

As for the throwing of a ball, although there is indeed a certain contrariety between 71
the rebounding motion and the direct motion—as much contrariety as is required between the *wheres* that terminate local motion—there is no formal contrariety, since one who moves something violently toward some *where* moves it toward every *where* that can be attained through that motion. If it can attain every such *where* through its direct motion, that is how it will be moved; if not, it will rebound, and the rebounding motion will continue until a motion proportionate to the violence of the mover has been completed.

This and any other contingency in reflected and refracted rays—and in other 72
contexts—does not introduce in any non-rational power the sort of indifference characteristic of a rational power.

As for the last argument,[16] all passive powers, without exception, are of themselves 73
powers for contradiction. Granted, if a necessarily existing form necessarily depended on matter, the composite would be incorruptible, and the matter would necessarily be actualized by that form; but that would not be in virtue of any necessity on the part of the matter, but rather on the part of the form. Active powers, by contrast, are powers for contradiction in the way that Aristotle explains with the words "being and not being."[17] If one understands "being and not being" to indicate a passive power that is brought close or not brought close, then every active power whose action depends on a passive power can be a power for contradiction, not of itself but in virtue of something else. If one understands it to indicate an impediment, then every natural, corruptible active power can be impeded, even by another natural active cause. But no natural power has of itself the power to elicit opposite actions concerning one and the same object or has of itself the power to act and not act; that is the way in which a rational power is a power for contrariety or contradiction. Therefore, that proposition[18] does not undermine the distinction as Aristotle intended to draw it.

[16] Actually the next-to-last argument [n. 6].

[17] That is, active powers are powers for being and not being. The edition cites *Metaphysics* IX.5, 1050b10–11: "What therefore is possible to be can (*contingit*) be and not be."

[18] Namely, "every power is a power for contradiction."

2

Ordinatio prologue, part 5, qq. 1 and 2 (omitting nn. 270–313)

"Is theology a practical or a speculative science?" "Is a science called practical per se because it is ordered to praxis as its end?"

Question 1: "Is theology a practical or a speculative science?"

217 The question is whether theology is a practical science or a speculative science.

Arguments for the claim that it is not a practical science:

John 20:31 says, "These things are written in order that you might believe." Believing is speculative, for what comes after believing is seeing. Therefore, etc.[1]

218 Furthermore, we find in *De anima* III [433a26–30] and *Ethics* I [1094b7, 21–2] that a practical science is about something contingent,[2] whereas the object of this science is not contingent, but necessary. Therefore, etc.

219 Also, in *On the Trinity* [c. 2] Boethius says that there are three parts of speculative science, and one of them, he says, is theology. And it is clear that he is talking about the theology we are considering in this question, because he goes on to say that the subject of theology is the first substance, and he says concerning the first substance that "the substance of God lacks matter."[3]

220 Also, any speculative science is nobler than any practical science; no science is nobler than this one; therefore, etc. Proofs of the first premise: (1) speculative science is for its own sake, whereas practical science is for the sake of use; (2) speculative science is more certain, according to *Metaphysics* I [982a14–16, 25–8].[4]

[1] Cf. Richard Middleton, *Sent.* prol. q. 4 arg. 3.
[2] Cf. Henry of Ghent, *Summa* a. 36 q. 4 in corp.
[3] Cf. Henry of Ghent, *Summa* a. 8 q. 3 arg. 1 in opp.; a 19 q. 1 arg. in opp.
[4] Cf. Ibid. a. 8 q. 3 arg. 2 in opp.; a. 7 q. 2 arg. in opp.; William of Nottingham, *Sent.* prol. q. 5

Also, this science was discovered once all the needs of life had been provided for, for the sake of avoiding ignorance, as is obvious from the fact that concern for such needs detracts from inquiry into this teaching. It follows that this science is speculative. For this is how Aristotle argues in *Metaphysics* I [982b19–25] that metaphysics is speculative.[5] 221

On the contrary: 222

Romans 13:10: "Love is the end of the law."

Also, Matthew 22:40: "On these two commandments hang all the law and the prophets."

Also, Augustine, *In Praise of Charity*: "One who preserves charity in his behavior upholds all that is hidden, and all that is evident, in the divine words."[6]

Now these authorities prove that this science is not strictly for the sake of speculation. And a speculative science aims at nothing beyond speculation, according to Avicenna in *Metaphysics* I a. (Look up his commentary in that passage.)[7]

Question 2: "Is a science called practical per se because it is ordered to praxis as its end?"

The second question is whether a science is called practical per se because it is ordered to praxis as its end. 223

I argue that it is:

In *De anima* III [433a14–15] the Philosopher says, "The intellect becomes practical by extension, and it differs from the speculative because of its end."[8]

Also, *Metaphysics* I [982a14–16]: "A practical science is less noble than a speculative science because it is for the sake of use." This argument would not hold unless use were per se the end of this habit. 224

Also, *Metaphysics* II [993b20–1]: "The end of a speculative science is truth, whereas the end of a practical science is action."[9] 225

On the contrary: 226

In *Metaphysics* VI [1025b18–28] the Philosopher distinguishes practical sciences from speculative sciences on the basis of their objects, as is evident; for there he distinguishes practical science, both active and productive, from speculative science on the basis of its object and not on the basis of its end.

[5] Cf. Henry of Ghent, *Summa* a. 1 q. 1 arg. 4 in opp.; a. 7 q. 10 in corp.

[6] Augustine, *Sermon* 350, *De caritate* II n. 2.

[7] Avicenna, *Metaph.* I c. 1. Cf. Richard Middleton, *Sent.* prol. q. 4 in corp.

[8] Cf. Henry of Ghent, *Quodl.* VIII q. 1 in corp., *Summa* a. 36 q. 4 in corp.

[9] Cf. Godfrey of Fontaines, *Quodl.* X q. 11 in corp.; Henry of Ghent, *Quodl.* VIII q. 1 in corp., *Summa* a. 8 q. 3 arg. 1; Richard Middleton, *Sent.* prol. q. 4 arg. 1 in opp.

Also, in *Ethics* VI [1139a3–15] he distinguishes the calculative [part of the soul] from the scientific on the basis of whether the object is contingent or necessary;[10] so science is practical per se in virtue of its object, and therefore not because praxis is its end.

Also, in *De anima* III [433a26–30] he assigns as the object of practical science not just any good, but a contingent good that can be carried out in action; therefore, a science is practical per se in virtue of its object, and therefore not because praxis is its end.

227 In order to answer these questions I assume one general point on which everyone agrees: a practical habit is in some way extended to praxis. So what needs particular investigation is, first, what the praxis is to which practical cognition is said to be extended; second, in what way practical cognition is extended to this praxis; and third, from what source cognition has such extension.

I. What praxis is

228 So I say first that the praxis to which practical cognition is extended is an act that (a) belongs to a power other than the intellect, (b) is naturally posterior to intellection, and (c) is apt to be elicited in conformity with correct intellection in order for it to be correct.

The first condition (a) is obvious, because staying strictly within the acts of the intellect there is no extension of the intellect, since it does not tend outside itself except as its act concerns the act of some other power.

And if you were to say[11] that one act of the intellect is extended to another act that is directed by the first act, that doesn't make the second act praxis in the sense we're discussing now, nor does it make the first cognition practical. For if it did, then logic would be practical, since it gives direction in acts of discursive reasoning.

229 The second condition (b) is evident, because acts that have no order to the intellect, such as vegetative acts, as well as acts that naturally precede the intellect, such as sensitive acts, are not called praxes, and practical knowledge is not extended to them as they are prior to intellection. Similarly, an act of the power of sensory appetite insofar as it precedes an act of intellect is not praxis; for as such it is common to us and non-rational animals. Nor is there any practical cognition with respect to these acts, except inasmuch as practical cognition in some way moderates these acts and they follow the moderating intellection as moderated by it.

230 From these two conditions follows a corollary: the praxis to which a practical habit is extended is nothing other than an elicited or commanded act of will. For no other act distinct from intellection is essentially posterior to intellection: take any

[10] Cf. Henry of Ghent, *Summa* a. 36 q. 4 in corp.
[11] Ibid. a. 36 q. 4 in corp., *Quodl.* VIII q. 1 in corp.

other act, and some act of that same character can be prior to intellection, as is clear from running through the acts of all the other powers.

231 This is evident, second, because praxis is an act that is within the power of the cognizer. This is proved from *Ethics* VI [1140b22]: an artisan needs a virtue by which to act correctly, but he would not need a virtue with respect to acting correctly unless doing so were within his power; therefore, production is within the artisan's power. *A fortiori*, action is within the power of the prudent person, since that person is formally virtuous. From this something further follows: given that all praxis is within the power of the cognizer, and nothing is within the power of the will other than an elicited or commanded act, the claim [that praxis is nothing other than an elicited or commanded act of will] follows as before.

232 One might object to this condition on the grounds that it seems to imply that some intellection is praxis, since some intellection can be an act commanded by the will just as the act of another power is commanded by the will. And then it would follow further that the first condition—that praxis is an act of a power other than the intellect—is also false. I reply: although speculative thinking is an act and thus praxis in an extended sense of the word, yet in the sense of 'praxis' that restricts it to acts to which the intellect can be extended, no intellection is praxis. And it is in this latter sense that we understand 'praxis' when we say that practical cognition is extended to praxis. So the argument "intellection is commanded by the will; therefore, it is praxis" is a non-sequitur; instead, what follows is "therefore, it is praxis or practical." For such intellection is apt to be denominated quasi-accidentally from the praxis to which it can be extended, but it cannot be the terminus of such extension. Nevertheless, I gladly concede the converse, that every praxis is an elicited or commanded act of will. Hence, to infer from this second condition the opposite of the first is to commit the fallacy of the consequent by affirming the consequent.

233 The third condition (c) is proved in two ways. First, it is proved from the Philosopher's statement in *Ethics* VI [1139a22–5] that correct choice necessarily requires correct reason. This is true not only of choice taken in the strict sense but, by parity of reasoning, of any correct volition: it requires correct reason in conformity with which it is elicited. Now every praxis either is a volition or follows from a volition, as we established in the foregoing corollary [n. 230]. Therefore, every praxis is apt to be elicited in conformity with correct reason in order to be correct itself. Second, it is proved from Augustine's statement in *De Trinitate* XV [6.10, 7.3; see also X.3.5, 7.10, 9.12–10.14, 10.16; XIV.4.7] that the intellect understands itself and other things. Therefore, just as it can judge its own act, so too it can judge the acts of other powers; therefore, it can judge an act that is naturally posterior to its own act, and its judgment is naturally prior to that act's being elicited. And consequently, if the intellect judges correctly, that naturally posterior act must be elicited in conformity with the intellect's judgment in order to be correct.

234 From the second and third conditions of praxis it follows that an act commanded by the will is not praxis primarily, but rather quasi-accidentally, since it is not primarily posterior to intellection or primarily apt to be elicited in conformity with correct reason. Therefore, there must be some other act that is primarily praxis; that is nothing other than volition, because it is through volition that a commanded act meets those conditions. Therefore, praxis in its primary sense is found in an elicited act of will.

And then further: whenever something is primarily *F*, if it is conjoined with something else, it would still be *F* if it could be separated from that other thing. So if an act of the will can be separated from the act of another power, it will still be praxis if separated from that posterior act. Now there is such a separation in the case of anything that can be an object of an act of will but cannot be the object of an act of another power, as are all immaterial things; so with regard to all such things the act of will, and it alone, is praxis.

235 Second, this same conclusion is proved from the drift of the Philosopher's argument in *De anima* III [433a17–18, 22–3] where he is seeking the principle of motion. After concluding that there are two principles of motion—will or appetite, and reason—he adds, "Intellect does not move without appetite, for will is appetite." And then he says that sometimes two appetites are contrary to each other, which is why one must posit one mover in species, since the two appetites share the common character of an intermediate species, namely, appetite.[12] Therefore, he explicitly holds that just as the sensory appetite has the character of a mover in common with sense and imagination, the will has the character of a mover in common with intellect and reason. So just as an act of the sensory appetite, when it follows an act of the intellect, is genuinely praxis, even if it does not pass into anything external, so too an act of will, which is identified as equally a principle of motion, will be genuinely praxis, because it always follows an act of intellect. And this is the case even if that act of will is by itself, without a commanded act, indeed even if it is accompanied by an act in the sensory appetite that is opposed to the act the will commands. For the will as having that sometimes contrary appetite is a principle of motion and action whose action is praxis.

II. In what way practical cognition is extended to praxis

236 From what was said on the first topic [nn. 228–35] it is clear what to say about the second topic. This extension consists in a twofold aptitudinal relation, namely, of conformity and natural priority. As for priority, that is clear from the statement already quoted from *Ethics* VI [nn. 231, 233]; and we find conformity in that same

[12] Aristotle, *De anima* III.10, 433b5–13.

book, where Aristotle says that "the truth of practical consideration is agreement with correct desire" [1139a29–31].

I have said "aptitudinal" because neither relation needs to be actual. That praxis in conformity with consideration actually follows that consideration is entirely accidental to the consideration and wholly contingent; for if actual extension to praxis were required for cognition to be called practical,[13] no cognition would be necessarily practical, but one and the same cognition would be sometimes practical, sometimes speculative, which is nonsense. So this twofold aptitudinal extension, or aptitude for extension, is all that is required. 237

To develop the point further: it is generally conceded that practical cognition is extended to praxis as what directs to what is directed, or as what regulates to what is regulated. Now the fact that cognition is naturally prior to praxis, and in conformity with it, is not a matter of its being conformed to the praxis as something prior; rather, it is a matter of its conforming praxis as something posterior; in other words, it is a matter of being that to which praxis is to be conformed, that is, of directing and regulating praxis. Now whether its directing praxis or conforming praxis to itself is a matter of some sort of efficient causality with respect to praxis will be discussed in Book II, distinction 25.

From this second point it is evident that practical and speculative are not essential differences of habit, science, or knowledge in general, because 'practical' indicates a twofold aptitudinal relation of knowledge (which is something quasi-absolute) to praxis as its terminus, and 'speculative' indicates a privation of that same twofold relation; and neither a relation nor its privation belongs to the essence of something absolute. Rather, it is like a division of a genus by the proper passions of its species, as number is divided by even and odd, and line by straight and curved. For 'practical' belongs to a given instance of knowledge, and 'speculative' to another, per se in the second mode in virtue of an intrinsic cause of the predicate in the subject. 238

III. From what source cognition has its extension to praxis

A. The first view

On the third topic there are various views. One of them[14] is that the intellect is called practical from one source and an act or habit from another. The idea is that truth 239

[13] Reading *si enim ab actuali extensione diceretur cognitio practica* for the edition's *si enim ab actuali extensione diceretur praxis*. Though the edition's reading has much greater MS support, it can't be correct: praxis is not what is "extended"; practical consideration or cognition is extended *to* praxis. And it is clearly *consideratio* or *cognitio*, not *praxis*, that must be understood as the subject of the next two verbs.

[14] Godfrey of Fontaines, *Quodl.* X q. 11 in corp.; Thomas Aquinas, *De veritate* q. 3 a. 3 in corp., *ST* I q. 79 a. 11 in corp.

within the scope of action and truth outside the scope of action are special objects, formally diverse, and therefore they ground a per se distinction between the things they concern per se—namely, acts and habits—which are called "practical" because they concern what is within the scope of action. By contrast, the intellect is called practical only if it is active, which is the case only for an intellect that apprehends an order to action; and an intellect does that only if it is moved by a desire for an end. Thus, practical intellect necessarily includes in its act—not formally, because of the essence of the act, but by way of connotation—an order, explicitly, to desire for an end and, implicitly, to desire for those things that are for the end. Hence, because a speculative matter's being ordered to action is accidental to that speculative matter (though its being capable of being ordered to action is not accidental to it), a difference between the speculative and the practical intellect deriving from an ordering to action is accidental[15] and depends on a relation to something outside the intellect, even though in the case of habits and acts it is a formal difference, deriving from the formal difference between an object within the scope of action and an object outside the scope of action. That is why it is said in *De anima* III [433a14–15] that the speculative and practical intellect differ in virtue of their end, and in *Ethics* VI [1139a29–31] that "the good of the practical intellect is truth in agreement with correct desire."

240 Example: the speculative intellect apprehends health as a suitable good; appetite desires it; and in some way there follows a consideration on the part of the practical intellect that health is to be achieved. So long as that desire for the end remains, the practical intellect proceeds discursively from the principle "something through which a better state can be acquired is to be procured," and that discursive reasoning comes to a terminus in the final conclusion of deliberation. This whole train of reasoning has as its principle the apprehension of the desired end, which is the first object of practical intellect; and once means to the end have been discovered, there is action. So this discursive reasoning presupposes a willing of the end and is ordered to the choice that follows deliberation.

241 So to put it briefly, this view consists in the claim that the distinction between practical and speculative intellect derives from the end, which is accidental to the object, whereas the difference and distinction between a practical and a speculative habit derive from the formal difference between their special objects. An argument against this view is that *Metaphysics* II [993b20–1] says of habits that "the end of the speculative is truth, whereas the end of the practical is action."

242 Likewise, if this view were correct, then a practical habit would be in the speculative intellect, and the intellect would not be called practical in virtue of that habit, which

[15] Cf. Henry of Ghent, *Summa* a. 36 q. 4 in corp. and ad 1.

seems incongruous, since in the case of every habit what has the habit is denominated in accordance with the nature of the habit.

To the first objection [n. 241] they[16] reply that the end of a practical science is action potentially and aptitudinally, insofar as the object of that science is per se within the scope of action; but an object that is within the scope of action is considered by this habit in a universal way, and that consideration is not sufficient for the object's being made subject to action in actuality and in particular. In the case of good things, actuality is better than potentiality, and for that reason a particular and actual consideration of the object is required; but that consideration is by a habit other than practical science, and it is that habit alone that is in the practical intellect. 243

To the second argument [n. 242] he says that the intellect can be called practical denominatively, not in an unqualified sense, but understanding that the denomination is made on the basis of the habit.

Against this response: then a practical habit and practical act can be in the speculative intellect, because a habit or act that is by its nature practical can be in the intellect without any such relation to an act of will as this view requires. 244

They would concede the consequent but claim that there could be another habit, generated not merely from practical acts but from acts of the practical intellect, in the practical intellect.

Against this: a practical habit generated from practical acts would suffice for the very same things as that other habit generated from acts of the practical intellect, since a will that commands consideration on account of such-and-such an end does not change the nature of that consideration in directing it, and consequently neither does it change the nature of the habit generated from these considerations. 245

Also, if that were the case, many accidents of the same species would be in a single subject. For an ordering or lack of ordering to a will is not a specific difference between one act and another, and similarly it is not a specific difference between one habit and another. 246

Also, third, I argue as follows against the view in itself: a subject is denominated more from a per se and essential condition of its accident than from an accidental condition of its accident; so if the intellect can be called practical on the basis of an accidental condition of its habit—namely, on the basis of its ordering on the part of the will, which orders the act of that habit to something else—all the more so can it be called practical on the basis of the essential order of the act by which the act is called essentially practical. So evidently the intellect is called practical on the same basis as a habit and an act, although 'practical' is not said accidentally of a habit or an act in the way that it is of the intellect, with respect to which being-practical is a per accidens accident. 247

[16] Godfrey of Fontaines, *Quodl.* X q. 11 in corp.

B. The second view

248 Another view[17] is that a habit and an act are called practical on the basis of the end and of the extension of practical cognition to praxis, which is extension to the end. The authorities for this view were cited above [nn. 223–5].

249 There are also arguments from reason.[18] First, a habit is called practical on the basis of either its object or its end. Not on the basis of its proper object, because the intellect "becomes practical by extension," which is true only of one and the same intellect that is first speculative and afterward practical when it is extended to action; therefore, there can be both speculative and practical consideration of one and the same object.

250 Second, medicine is divided into speculative and practical, and yet it concerns a single subject: health, or the body as capable of being made healthy.

251 Also, an act is called practical because it is morally good or bad. Moral goodness and badness characterize an act in virtue of its circumstances. And the first and most important of those circumstances is the circumstance of the end.[19] Therefore, etc.[20]

252 Against this position I argue as follows: Are a habit and an act called practical because of *actual* extension to action or merely because of *aptitudinal* or *habitual* extension to action? Not because of actual extension, as I held in the second article [nn. 236–8] and as they concede themselves, since if that were the case a carpenter who doesn't intend to make anything would not have practical cognition.[21] So it's because of aptitudinal extension. But if an aptitude that can characterize one nature is incompatible with some other nature, that can only be because of something absolute in such a nature. For it is because a nature is so-and-so that such-and-such an aptitude can characterize it. Therefore, this aptitude presupposes some intrinsic condition in that consideration in virtue of which such an aptitude can characterize it. This condition of the consideration in itself is from some cause prior to the consideration; but its prior causes are the intellect and the object; therefore, it is from either the intellect or from some object that such an aptitude can characterize this consideration.

253 Suppose someone were to say that the end is a prior cause—indeed, the first among all the causes, as Avicenna says in *Metaphysics* VI [c. 5]—and thus it is from the end

[17] Henry of Ghent, *Quodl.* VIII q. 1 in corp., XII q. 22 in corp., *Summa* a. 36 q. 4 ad 2, a. 59 q. 6 in corp., a. 60 q. 1 ad 1 contra aliud; Richard Middleton, *Quodl.* II q. 1 in corp., *Sent.* prol. q. 4 in corp.; Giles of Rome, *Sent.* I d. 19 pars 2 q. 2 princ. q. 1 in corp., *Quodl.* II q. 19 in corp. and ad 2; Bonaventure, *Sent.* I prooem. q. 3 in corp.

[18] Henry of Ghent, *Quodl.* VIII q. 1 in corp.

[19] See *Ordinatio* II d. 40 q. un., IV d. 14 q. 1 n. 75, d. 26 q. un. n. 19. Cf. Thomas Aquinas, *ST* I-II q. 7 a. 4 in corp.

[20] Henry of Ghent, *Quodl.* XIII q. 10 in corp. and ad 1, VIII q. 1 in corp.

[21] Godfrey of Fontaines, *Quodl.* X q. 11 in corp.; Thomas Aquinas, *De veritate* q. 3 a. 3 in corp.

that the consideration is of such a nature that such an aptitude can characterize it.[22] I argue on the contrary that an end is a cause only as something loved and desired that moves the efficient cause to the exercise of its efficient causality.[23] But the aptitude we're talking about can characterize the consideration whether the end is loved or not. For such cognition can be in the intellect no matter how the will relates to it—indeed, even if no will were conjoined to the intellect. And thus it is not in virtue of the end as final cause that this aptitude can characterize that cognition; for nothing is present from some cause that is present when that cause is not causing.

Suppose you say that the end is *apt* to be loved before that aptitude is present in cognition. I argue on the contrary that that does not salvage your claim, because an effect has something from its cause only if the cause actually causes, not merely because the cause is apt to cause it. Therefore, cognition does not have that aptitude, or the nature from which such an aptitude follows, because the end is apt to cause it, but only if the end actually causes it. And it does not actually cause as a final cause unless it, as actually loved and desired, moves the efficient cause to acting; therefore, etc.

Furthermore, it is either the end as elicited and possessed externally or the end as considered and intended that makes a habit practical. It is not the end as elicited externally, because as such it is posterior to the habit and in a way an effect of the habit—and an effect does not distinguish its cause. If it is the end as cognized, then it has the character of an object, and so it is the object that distinguishes. And if it is the end as intended, that has already been disproved [n. 253], because such cognition is naturally prior to the end's being intended. 254

Moreover, praxis is not the end of every practical cognition. For some practical intellection concerns the praxis of a lower power, such as the sensory appetite or the motive power. And no act of a lower power is the end of an act of intellect, because nothing less noble is the per se end of something nobler, and any act of understanding is nobler and more perfect than any act of any inferior sensory power. 255

It is said[24] that although intellection is nobler in natural being than an act of a lower power, it is not nobler in the realm of morality, because it is morally better to act courageously than to think about acting courageously. 256

There are two arguments against this. First, it proceeds from a false premise, for the act of a lower power is morally good only because it is in conformity with correct reason as its rule.[25] Therefore, the correctness of reason is the cause of such goodness in that act, and not vice versa; but for an act of reason to be correct in this way *just is* 257

[22] Cf. Henry of Ghent, *Quodl.* XIII q. 11 ad 3.

[23] Cf. Aristotle, *Metaphysics* V, 1013b9–11; XII, 1072a26–7, 1072b; *On Generation and Corruption* I, 324b13–18.

[24] Henry of Ghent, *Quodl.* I q. 14 in corp., XII q. 29 ad 4, q. 14 in corp. Cf. Godfrey of Fontaines, *Quodl.* X q. 6 in corp.

[25] See *Ordinatio* II d. 40 q. un. n. 8; I d. 17 pars 1 qq. 1–2 n. 62.

for it to be morally good in the way that intellection can be morally good.—Confirmation of the argument: prudence is unqualifiedly better than moral virtue as it exists in the sensory appetite; therefore, the act of prudence as prudence is better than the act of moral virtue as moral virtue; therefore, the former as practical in the way that intellection can be practical is better than the latter as practical or morally good. From this it is clear that the argument about thinking is not valid: for when one is seeking to establish whether one thing is more excellent than another, one should not compare the best of one thing to the worst of another, but rather what is best to what is best, or what is unqualifiedly such to what is unqualifiedly such. The argument takes what is best in the case of the sensory appetite—acting courageously—so it ought to take what is best in the case of the intellect: dictating courageous action in accordance with prudence. The latter is better, even morally, because as rule it has the formal goodness that is its own correctness; the former is merely materially good, because it is not morally good in its own right, prescinding from its order to that rule and to the will that commands it.

258 Second, the first response [n. 256] seems to be beside the point: for the question is "In virtue of what is intellection practical?" The question does not presuppose that intellection is practical, and in particular it does not presuppose that the first circumstance [that makes intellection practical] is the end; that is precisely what is being asked about [cf. n. 248]. So in order to ask about practical intellection and the first circumstance in virtue of which it is practical, we have to understand intellection just as it is in natural being. So when this argument distinguishes between moral and natural goodness in intellection, it is presupposing the very thing that is being asked about and making a distinction in something as considered exclusively under one disjunct of a distinction.

259 For this reason others[26] correct this view and say that a habit is called practical from the end that is practical consideration; for the proper end of every habit is its act. But against this: if this consideration that is the end of the habit is practical, it has some cause in virtue of which it is called practical. That cause is either the end of that consideration, which has already been disproved [nn. 252–5] or the object, and then it follows that the object itself is the prior cause—prior to the consideration—in virtue of which a habit is called practical, and then my point is made: it is in virtue of the object that both a habit (mediately) and an act are called practical.

C. Scotus's view

260 So I concede that a habit is not called practical in virtue of its own act, because its act is in turn practical in virtue of a prior cause. Nor is any habitual or actual cognition per se practical because it is ordered to praxis as its end; nonetheless, it can

[26] Godfrey of Fontaines, *Quodl.* X q. 11 in corp.

sometimes have its first extension, namely conformity to praxis, in virtue of the end of praxis itself, not qua end, but qua object.

The first point [that it can sometimes have conformity to praxis in virtue of the end of praxis] is evident. For sometimes first practical principles are taken from the end of praxis, and thus that end, as the first cause of praxis, virtually includes all knowledge in that genus, and thus that knowledge has its quiddity and aptitude from the end. 261

The second point [that such conformity is in virtue of the end of praxis not qua end but qua object] is evident. For the reason that praxis gives such an aptitude or (in other words) such a nature having that aptitude is that as first object it includes the principles and, by means of those principles, the conclusions, and thus the whole of practical knowledge—but not qua end, for two reasons. First, no nature or natural aptitude is had from the end qua end except as loved and desired and thus moving the efficient cause [cf. n. 253]. But the end's including the aforementioned principles and conclusions is naturally prior to its being loved: for the truth of a necessary practical principle doesn't depend on the will any more than that of a speculative principle does, and neither do the conclusions that are inferred with necessity from such a principle. Second, anything else that virtually included such knowledge would in the same way give this sort of conformity to that knowledge—say, if the praxis itself included such knowledge, or that concerning which there is action, in the first instance in that genus. That sometimes happens, as I discussed in the response to the third argument in the first question on the subject of theology [n. 185]; for the subject of both moral science and medicine is perhaps the human being, rather than happiness or health, because the definition of both ends is included in the definition of that concerning which there is praxis. 262

Someone might say that first practical principles are always taken from the end, and so the end always in the first instance virtually includes knowledge of those principles. Even if one conceded that conclusion, however, that would still be consistent with the claim that it is not qua end but qua object; and then it could be said that the human being is the end of both health and natural happiness, as is discussed in the previous response [n. 262]. But at any rate the human being is not the proximate end of praxis, since if the conclusion were denied, the antecedent taken universally would have to be denied, because it is true taken particularly, that is, where the character of the end is not concluded from anything pertaining to practical cognition.[27] 263

Alternatively, the antecedent—"first practical principles are always taken from the end"—could be expounded like this: it is true of principles that are taken from moral circumstances once you presuppose a generically good act, because in this way the object is not a circumstance. But in another way, taking the act just by itself,[28] the 264

[27] Cf. below, n. 314. See also Scotus, *Ordinatio* III d. 15 q. un. nn. 98–100, 111; I d. 3 pars 1 q. 4 n. 277.
[28] That is, not presupposing that it is a generically good act.

object too is a circumstance; and on this basis there is a straightforward argument against the antecedent. For that from which the very first circumstance of an act considered just by itself is taken is evidently prior to anything else; and thus the object, by which the act is first specified so that it is called a generically good act, is evidently the very first thing of all in practical cognition. There is no need at the moment to pursue the question of whether this line of argument is conclusive or not, because that discussion belongs in Book III.[29]

So on the present topic I say, briefly, that practical [cognition] does not first have the extension that characterizes it from the end qua end, for the reasons given above [n. 262].

IV. Reply to the second question

265 From this the answer to the second question [n. 223] is evident. I answer no. Rather, a practical science has the first relation, conformity [n. 236], per se from its object, which is either the correctness of praxis or something that virtually includes that correctness, and it is because the cognition is of that sort of object that praxis must be conformed to that cognition if the praxis is to be correct.

266 But as for the other relation, priority [n. 236], it is unclear in virtue of what that relation characterizes cognition. I say that necessarily some intellection naturally precedes praxis, as is evident from what was said on the first topic [nn. 229–33]; and accordingly praxis is posterior and cognition prior by reason of the corresponding powers, intellect and will, as naturally ordered in acting. But that prior intellection is not always practical; it is practical only when it determines the correctness, or is of the determinate correctness, of praxis itself, whether virtually or formally. When, however, that previous apprehension involves no virtual or formal determination of the correctness of praxis, then even though there is priority, conformity is absent in that case, because that is not an apprehension to which praxis must be conformed if it is to be correct, since that apprehension does not present anything determinate about the correctness of praxis.

So it can be said that although cognition is prior absolutely, in virtue of the nature of the intellect and will, cognition's being such as to require conformity is prior in virtue of both the object and the ordering of the powers, taken together.[30] For even if the object determines the intellect to cognition of correctness naturally prior to the will's willing, and the will is in some way regulable by something outside itself, it is not merely apprehension that precedes practice, but apprehension that requires conformity. Now this happens whenever the determinate correctness of praxis is a

[29] *Ordinatio* III d. 26 q. un. nn. 89–95, d. 38 nn. 16–19. See also II d. 7 q. un. nn. 27–39, 73–93, d. 40 q. un. n. 9. Cf. below, n. 362.

[30] Reading *hoc est simul ex obiecto et ordine potentiarum*. The edition adds *et potentiae practicantis*, which is omitted by a number of MSS.

necessary object of cognition, either as a principle through intellect or as a conclusion through science.

What has been said so far about the source from which the twofold relation of conformity and priority characterizes practical knowledge should be understood generally; otherwise one would have to add something to exclude the case of the divine intellect, namely, that the power engaging in praxis, to whose praxis the cognition that requires conformity is prior, is in some way determinable from the outside, or in other words is conformable to something else as its rule in acting. Whether this is required for knowledge or not will be discussed in the reply to the fourth objection that is raised against my answer to the principal question [nn. 324–31].[31] 267

But when determinate correctness characterizes praxis contingently, then there is no object that determines the intellect to cognizing its correctness determinately before a will wills it—and here I'm speaking of intellect and will in general, for that contingent object is not determined to one alternative or the other before every act of will. If instead we compare this intellect and that will in particular, a determinate cognition of correctness that precedes cognition requiring conformity can in turn precede praxis; a determinate cognition of correctness that does not precede cognition requiring conformity cannot precede praxis. Such cognition can precede praxis in all and only those intellects whose wills are not the primary determinant of the correctness of that praxis. 268

An example to illustrate these claims: 269

The correctness of the praxis *loving God* is necessary, and it is included virtually in the notion of God. And it is not merely apprehension, but apprehension requiring conformity—that is, apprehension to which praxis must be conformed in order to be correct—that is apt to precede this praxis in every intellect. So in this case the knowledge that is prior to praxis and to which praxis must conform is had from (a) the object that is of itself what first determines the intellect to knowledge of the determinate correctness of that praxis and (b) the ordering of the intellect and will in acting. And so it is for every other praxis that necessarily has determinate correctness.

By contrast, the correctness of the praxis *worshiping God in the sacrifice of the altar* is contingent: sometimes it is a correct act, as now, and sometimes it is not, as in the Old Testament. And so there is no object that determines the intellect to knowledge of this correctness before any act of will, and so such knowledge as requiring conformity does not precede every act of will. It does precede an act of *some* will—only of a will that is not the primary determinant of the correctness of this praxis.

[31] This paragraph is marked in the edition as "an addition of Scotus himself."

The human will is a will of that sort. For this correctness is determined by the divine will's accepting this act or form of worship now and some other at another time.[32]

V. Reply to the first question

A. Theology of necessary truths

314 So my reply to the question [n. 217] is that because an elicited act of will is most truly praxis even if it is not accompanied by any commanded act (as is clear from the first section [nn. 230, 232, 234–5]), and the extension of practical cognition consists in aptitudinal conformity to praxis and aptitudinal priority (as is clear from the second section [nn. 236–7]), it follows that cognition that is aptitudinally in conformity with correct reason and naturally prior to it is practical cognition. But the whole of necessary theology for a created intellect[33] is aptitudinally in conformity with, and prior to, an act of a created will. Therefore, etc.

Proof of the minor premise: the first object of theology is virtually in conformity with correct volition, because the principles of correctness in volition are drawn from the notion of that first object; also, that object's determining a created intellect to knowledge of the determinate correctness of that praxis with respect to all necessary theological truths is naturally prior to any created will's willing (otherwise they would not be necessary); therefore, from the first object follow both the conformity and the priority of theology to volition, and thus its extension to praxis; and in virtue of that extension this cognition is rightly called practical.

Confirmation of this argument: because the first object of theology is the ultimate end, and principles in a created intellect that are drawn from the ultimate end are practical principles, it follows that the principles of theology are practical; therefore, its conclusions are also practical.

315 One might object using what was said in the previous question, where I said that God is not the first subject of theology qua end but qua this essence [nn. 167, 195], and principles drawn from the end qua end are practical; therefore, etc.

316 Also, cognition of the ultimate end is not immediately in conformity, or apt to be in conformity, with praxis to be elicited; therefore, it is not proximately practical.

317 Also, the first object virtually includes conformity with correct praxis, and not merely cognition in conformity with correct praxis; otherwise, there could not be speculative science of the first object, which is evidently untenable. For how is "God is triune" or "The Father begets the Son" practical? Therefore, the first object includes some

[32] I omit nn. 270–313, in which Scotus considers the views of Henry of Ghent, Giles of Rome, Albert the Great, Gonsalvus of Spain, Bonaventure, William of Ware, Godfrey of Fontaines, and Thomas Aquinas.

[33] "necessary theology for a created intellect": that is, theology concerning necessary truths, as that theology exists in the intellect of a creature (not, as the Latin would be more naturally read, theology that a creature needs to possess).

speculative knowledge. So from this virtual conformity of the first object to praxis it does not follow that theology is practical, since the truths that are most especially theological as theology is distinguished from metaphysics are speculative truths.

Also, if this were correct, it would follow that God's science is practical, because it is 318
of the same first subject, and it seems that the argument for my answer to the question [n. 314] could be applied to the divine intellect just as it is to a created intellect.

To the first [n. 315], I say that principles in a given science are not drawn from the 319
relation of an end but from that absolute item on which the relation is founded; that is "this essence."

To the second [n. 316], I say that what virtually contains cognition in conformity 320
with praxis is virtually in conformity with praxis and thus is practical cognition, since practical conclusions have practical principles; moreover, cognition of enjoyment of the end is proximate to cognition of the end, and the former is apt to be formally in conformity with the praxis that is fruition.

To the third [n. 317], I say that the first object only includes knowledge in conformity 321
with correct volition, because by its nature every cognition of it[34] either is the correctness of some volition or virtually includes the knowledge of such correctness. As for the conclusion that there can be no speculative science of that object, which is inferred as a supposedly untenable implication of my view, I concede the claim. For, necessarily, knowledge of that object and of anything intrinsic cognized through it is aptitudinally in conformity with, and prior to, praxis, given that the object cognized is necessary.

As for the objection concerning the truths "God is triune" and "The Father begets the 322
Son," which are evidently most truly theological and not metaphysical, I say that those are practical truths. The first virtually includes knowledge of the correctness of love tending toward the three persons, such that if an act were elicited toward only one person, excluding another (as an unbeliever might do), the act would not be correct. The second includes knowledge of the correctness of an act that concerns two persons of whom one is from the other in this way.[35]

One might object to this on the grounds that only what is essential is a characteristic 323
that terminates an act of love, whereas theology is more properly about the personal features than the essential ones, since quite a few of the essential features can be known by the metaphysician; therefore, theology as distinguished from metaphysics by what is most proper to it is not practical. The first proposition is proved from the fact that otherwise one person would have a characteristic worthy of love that

[34] Reading *ipso* for the edition's *ipsa*.
[35] Cf. *Ordinatio* I d. 1 pars 1 q. 2 nn. 31–3, 42–3, 54–5.

another person would lack; and that is false, because in that case no person would be made happy in himself.

I reply: what is essential is absolutely the characteristic that terminates an act of love as that-on-account-of-which, but the persons terminate an act of loving as what-are-loved. Now it is not sufficient for an act to be correct that it has an appropriate formal characteristic in its object; rather, the act must also have an appropriate object in which such a formal characteristic exists. Therefore, in addition to the knowledge of correctness that what is essential includes in an act of loving God, the personal features include their own further knowledge of required correctness.

324 In reply to the fourth argument [n. 318], it could be conceded that God's theology concerning necessary things is practical, because in his intellect the first theological object is apt to quasi-generate knowledge in conformity with correct volition and naturally prior to that volition. That it is in conformity with volition is evident. Proof that it is also prior: the intellect's understanding the first object is naturally prior to the will's willing it; therefore, the divine intellect can, naturally prior to volition, have all knowledge sufficient for itself virtually included in its intellection of its first object. Any necessary knowledge of the first object is of this sort. The inference is clearly valid, both because the intellect could have all sufficient knowledge virtually included in its intellection of the first object even if, *per impossibile*, there were no will at all, because that intellection precedes any volition; and because the divine intellect is not discursive, so its understanding the first object is not naturally prior to its understanding anything knowledge of which is virtually included in that object. So if the intellect understands the first object before the will wills anything, it understands anything knowledge of which is included in the first object before the will wills it. (This second proof of the inference is less compelling.)

325 Someone might object that if this is so, the divine will turns out not to be its own first rule in its acts, if its act is preceded by knowledge to which it must conform in acting in order to act correctly; the consequent is evidently untenable, because it destroys the supreme freedom of the divine will if it is determined primarily by something else, and not by itself, to its first act. And if practical cognition precedes every act of the divine will, it is determined to its first act by the intellect, since it can't dissent from the intellect—for if it could, it could sin.

326 Moreover, it was said above [nn. 300–1] that the Philosopher was quite correct in inferring that if an intelligence naturally loves God upon having seen him, the knowledge that presents God is therefore not practical. You should draw a similar conclusion about God if he naturally loves himself.

327 Also, what gives direction is a cause with respect to what is directed; therefore, there is a real distinction between them; but there is no real distinction between God's intellection and his willing. Confirmation of the argument: if it is understood that willing has already been elicited, the intellect does not give direction, for it is only as

something prior that it gives direction concerning what is to be elicited. But in God's case, his willing is not subsequent to his will's existing; therefore, his willing is never yet-to-be-elicited, but always already elicited; therefore, etc.

What evidently ought to be said on this topic, in keeping with what has been said thus far, is this: Understanding "rule" as what rectifies praxis, the first rule is the ultimate end, which virtually includes primarily the knowledge of the necessary correctness of any praxis, in just the way that the first object of a speculative science includes primarily the knowledge of speculative truths. Now this first rule, which is the end, ordinately rectifies the intellect and will as they are apt to act ordinately, in such a way that it generates knowledge in conformity with correct praxis before it generates correct praxis or rectifies praxis. And thus some other power will be correct before any power engaging in praxis is correct—which means that the inference drawn in the first argument [n. 325] must evidently be conceded. To the refutation of that argument one could say that just as, universally, freedom is compatible with a previous apprehension, supreme freedom is compatible with a supremely perfect previous apprehension; and a supremely perfect apprehension concerning praxis includes knowledge of the conformity of such praxis in a case in which this conformity necessarily characterizes praxis. 328

As to the further argument that the divine will would be determined by something other than itself, this must be denied if we are talking about determination brought about by a sufficient agent. For although the divine will could not dissent from correct knowledge that is prior to praxis, it is not as though the intellect through its knowledge is an active cause that sufficiently determines the will to act; rather, it is a matter of the perfection of the will that it is apt to act in conformity with a power that acts prior to it, only when that prior power acts perfectly with respect to an object, that is, knows the object prior to [any act of will] to the fullest extent that it can be known. I say this to distinguish the case of contingents: the divine intellect does not have, before any act of will, all the knowledge of contingents that it is possible for it to have; for that reason the divine will need not act concerning contingent things in conformity with a prior power, because that power does not, prior to the will's act, know such objects in a way that requires conformity. The case of intrinsically necessary objects of cognition is always different, because the divine intellect has supremely perfect knowledge of those apart from any act of will. 329

But although this response [nn. 328–9] does seem to evade the force of the argument [n. 325], and the arguments that come after it [nn. 326–7] can also be evaded, what should actually be said is something different: necessary theology in the divine intellect is not practical, because intellection is not prior to volition in the way that what demands conformity is prior to what needs to be conformed or what gives direction is prior to what needs direction. For given any knowledge of the correctness of praxis, although the intellect could of itself conform any power that can be 330

conformed or rectified from the outside,[36] it could not conform or rectify the divine will with respect to its first object, because the divine will is rectified with respect to that object solely through itself, because either it tends naturally to it, or, if it tends freely, it is in no way intrinsically indifferent to correctness and in no way possesses correctness from the outside. Accordingly, determinate knowledge of correctness is not necessarily prior to volition as though volition required such knowledge in order to be elicited correctly; it requires only the presentation of the object as a precondition. And it does not require that knowledge—which is intrinsically directive—as directive, but only as ostensive. Thus, if it were possible for just the presentation of the object to precede volition and for knowledge of the necessary correctness of that praxis to follow volition (as I will say in the case of praxis concerning contingents [n. 333]), volition would be elicited just as correctly as it in fact is. So intellection is not in fact prior and regulative or such as to require conformity.

331 So to the argument for the priority of knowledge of correctness to correct praxis [n. 324] one could reply that although there is some priority of intellection to volition, intellection is not prior in a way that requires correct cognition to be prior to praxis, because such priority is that of a rule to what is ruled, and that sort of priority cannot exist when the will is in every way its own rule in acting.

The key point of this controversy about whether God's self-knowledge is practical comes down to this: is knowledge that would of itself be directive in praxis, *if* the power engaging in praxis[37] in the one who has such knowledge were subject to direction in acting, practical solely because it would be directive, or not practical because the power engaging in praxis in the one who has such knowledge is not subject to direction? Whichever answer you give, you have to stick to the implications.

B. Theology of contingents

332 That brings us to the second topic in this question: is theology of contingents practical? I say that theology of contingents can be practical only in an intellect that has a determinate knowledge of the correctness of praxis before any volition on the part of the one understanding or before the elicited praxis itself, because it is only in such an intellect that this theology of contingents can be[38] in conformity with praxis and prior to it. Every created intellect fits this description, since in no case is the will of a creature endowed with understanding the primary determinant of the contingent correctness that characterizes its praxis.

[36] "from the outside" (*aliunde*): that is, by some power outside itself, in this case, by the divine intellect

[37] "engaging in praxis": reading *practicans* for the edition's *rectificans vel practicans*, "rectifying or engaging in praxis." Since it is the intellect that rectifies and the will that engages in praxis, *rectificans vel* cannot be correct; I follow many MSS in omitting it.

[38] "can be": the edition, following A, adds "or is."

In the divine intellect, by contrast, contingent theology cannot be practical if we maintain (a) that practical cognition and the praxis to which it is extended must necessarily belong to the same supposit, and (b) that no praxis other than volition belongs to God as acting (and we do not posit some third power in God in addition to intellect and will), for no cognition in the divine will in conformity with a correct contingent praxis or volition precedes God's correct praxis or volition itself, because such correctness is primarily determined for that praxis by his volition. 333

That first claim (a) is true, for if any cognition of someone else's praxis is practical, it follows that my cognition of God's creating the world or of an intelligence's moving the heavens will turn out to be practical. At any rate, this evidently shows that a lower intelligence or intellect cannot have practical cognition concerning some other [higher] agent's praxis; by parity of reasoning, neither can a higher or equal agent if it contributes nothing to the agent's praxis; and if it does contribute something, then the superior agent already has its own praxis with respect to which its cognition is practical. 334

Also, if practical cognition has some causality with respect to the praxis to which it is extended, and it is apt to have such causality primarily only with respect to praxis that is in the one understanding, this claim (a) evidently follows. 335

On the contrary: it follows that if praxis were possible for one intellect and not for another, one intellect would have practical knowledge and another would have speculative knowledge of the very same thing. 336

It can be said that perfect correctness of praxis includes the circumstance of the agent just as it includes the other circumstances, so that without that circumstance there is no correctness. For if one takes "God is to be loved" and does not add *by what*, say, by a will, it is not a completely practical truth, since God is not to be loved by a non-rational animal. And so the perfect truth "God is to be loved by God" is practical in any intellect; so too "Human beings ought to fast sometimes" is practical not only for a human being who cognizes it but also for an angel and for God; so too "The heavens should be moved by an angel" is practical for human beings and for God. So I concede the conclusion that the first proof [n. 334] infers as something untenable.

One might object that this does not preserve the priority of practical cognition to praxis, because the correctness of God's love for himself is prior to an angel's or human being's ability to understand "God is to be loved by God." I reply: the priority in question has to derive from the object and the intellect. That is, the object is apt to determine an intellect to knowledge of the determinate correctness of praxis, and to do so prior to praxis, as far as this depends on the object itself. And that is the way in which this object is apt to determine every intellect to the knowledge that "God is to be loved by God," and to do so prior to praxis, as far as this depends on the object itself—even though a given intellect, because of its imperfection, is not determined to this knowledge prior to the act of a power that acts in virtue of its own perfection. 337

338 To the other objection [n. 336], I note that a will can be a higher cause with respect to the praxis of a motive power, though not just any will can be such a cause with respect to just any motive power (for example, my will can't be such a cause with respect to the motive power of an angel), but only when the will and the motive power belong to the same subject. Similarly, practical cognition is a cause with respect to praxis, when it is one and the same subject that both understands and acts, but that doesn't mean that the same cognition in another subject is not practical, unless you take 'practical' strictly to mean cognition that is immediately applicable to action because the cognizer is identical with the agent, an immediacy denoted by an infinitive signifying the praxis, governed by 'to know.' For in this sense it is conceded that only God knows he loves [himself] infinitely,[39] although an angel knows that God is to be loved by himself infinitely.

339 One who replies in this way must concede from the outset that every truth concerning the praxes of created agents is cognized by every intellect concerned with praxis, because every such truth is apt to be prior to and in conformity with praxes or to determine the correctness of praxes prior to the eliciting of those praxes—whether they are thus apt in virtue of the object, as necessary truths, or in virtue of something else, as contingent truths. By contrast, all necessary truths about the divine will are practical, whereas contingent truths are not, because prior to the elicited praxis to which they are extended they do not have such conformity, because they have no determinate correctness. For example, God's knowledge that a human being ought to do penance and that an angel ought to move the heavens is practical; his knowledge that God ought to will that a holy human being do penance or that an angel move the heavens is not.

340 If you ask what sort of knowledge the theology of contingents is in itself, rather than as compared to this or that intellect, it can be said that it is in itself what it is in virtue of its object. Now it is not, in virtue of its object, in conformity with praxis before any praxis, because no determinate knowledge of contingent correctness is apt to be had in virtue of its object. Therefore, in virtue of its object it is not practical, so it is speculative, assuming that the division of knowledge into practical and speculative is exhaustive [n. 303]. This fits with the denial that such knowledge is practical in the divine intellect [n. 333]; for evidently what a thing is in itself is what it is in that which is perfect, rather than imperfect, in the relevant domain.

341 Suppose someone were to object that if that is true, cognition that is speculative in itself will be practical for someone—say, a created intellect—and so practical and speculative are not incompatible. I reply: being speculative in virtue of the object is not being speculative in itself. Thus, to be practical in virtue of an object that sufficiently determines an intellect to knowledge of correctness—and if sufficiently,

[39] In Latin "God knows that he loves [himself] infinitely" is a construction with an "infinitive signifying the praxis, governed by 'to know,'" as described in the preceding sentence. It is literally "God knows himself to love infinitely."

then before any volition—is to be practical in itself. That is how these two are opposed, as are also "not-extendible to praxis" and "extendible to praxis." But to be practical in virtue of something other than the object—say, from an extrinsic cause, such as a will that determines the intellect to knowledge of praxis—is to be accidentally practical. In this way I concede that the theology of contingents is practical for us, even though it is speculative in itself.

Against this: when one of a pair of opposites characterizes something per se, the other of that pair does not characterize that thing either per se or per accidens. Therefore, knowledge that is speculative per se is not practical either per se or per accidens. 342

I reply: although the antecedent can be expounded in terms of per se predication in the first or second mode (but not in the third mode, in which 'per se' means the same thing as 'independently'),[40] I nevertheless concede that the opposite of the predicate 'per se speculative'[41] does not inhere in any mode of inhering, because contingent theology is per se speculative[42] in the second mode, such that its inherence is per se and the predicate is determined by the expression 'per se.' But being practical per accidens is not opposed to this, in just the same way that being black simpliciter and being white secundum quid are not opposed; for 'secundum quid' and 'simpliciter' determine the predicates as denominating. If the argument is "it is per se speculative per se, therefore it is per se speculative," I concede that, and the predicate 'per accidens practical' is not incompatible with the predicate 'per se speculative.'

But if either of the two assumptions [n. 333] on which this response [n. 340] depends is rejected, then it can be conceded that although contingent theology is not practical in itself because it is not practical in virtue of its object, it would nonetheless be practical per accidens in every intellect, created and uncreated. For in the divine intellect it can be in conformity with praxis prior to praxis's being elicited by a created will, since the knowledge in God's intellect that someone who commits the sin of adultery[43] under the New Law ought to be contrite is prior to the sinner's being contrite. And if we do not accept the first assumption, God's cognition concerning another agent's praxis is practical; if we also reject the second—say, by positing that there is divine action *ad extra* that is praxis and is not formally divine volition—then even if the divine intellect's knowledge that *a* is to be created is not prior to God's will's willing that *a* is to be created, the knowledge is still prior to his creating *a*, and thus knowledge in conformity with praxis precedes that praxis *ad extra*, even though the knowledge is in conformity with praxis not in virtue of its object but in virtue of something else. 343

[40] See Aristotle, *Posterior Analytics* I.4, 73a34–73b10, for the modes of per se predication.

[41] Reading *praedicati huius quod est per se speculativum* with the majority of the MSS against the edition's *praedicati huius quod est per se practica vel huius quod est per se speculativum* (A).

[42] Reading *speculativa* with all but three of the MSS for the edition's *practica vel speculativa* (A).

[43] "someone who commits the sin of adultery": reading *peccatorem adulterum* with several of the MSS for the edition's *peccatorem adultum*, "an adult sinner."

344 At any rate, I hold that theology of contingents is not per se practical, that is, it is not practical in virtue of its object; nonetheless, it can be per accidens practical for a created intellect, that is, for an understanding agent such that the correctness of the agent's praxis is determined by the divine will. As for whether it is practical for the divine intellect, it is clear what the implications are if one accepts or rejects the two assumptions discussed above. But these three claims seem to be the most defensible: first, practical cognition regulates praxis in contingent matters; second, it regulates a power engaged in praxis that can be made correct by something other than itself; and third, in God there is no power engaged in praxis other than the will. From the first and third it follows that if the divine knowledge were practical, it would be such as to rectify or regulate the divine volition or make it correct; but this is false according to the second of these, since the divine will of itself first rightly elicits willing with respect to its first object, whereas with respect to secondary objects, which it wills contingently, it is determined by itself alone, not by any knowledge of correctness that precedes it.

VI. Replies to the preliminary arguments of the first question

345 As for the preliminary arguments of the first question, to the first argument [n. 217] I say that faith is not a speculative habit, and believing is not a speculative act, nor is the vision that follows believing speculative, but practical. For that vision is apt to be in conformity with enjoyment and to be possessed by a created intellect naturally prior to correct enjoyment's being elicited in conformity with it.

346 To the second [n. 218], it should be said that the contingent thing that practical science concerns is an end or a being for the end; but in the domain of action, action itself is an ultimate end, according to the Philosopher in *Ethics* VI [1139b3–4]. Therefore, the action's being contingent is sufficient for it to be an object of practical science.

347 Against this it is argued, first, that science concerns necessary things; therefore, there is no science concerning contingents. The antecedent is clear from the definition of science in *Posterior Analytics* I [71b15–16] [cf. n. 212].

348 Similarly, in *Ethics* VI [1139a3–15] the scientific part is distinguished from the calculative part on the basis of the necessary and the contingent [cf. n. 226]. Therefore, all the habits of the scientific part concern what is necessary; now science is a habit of that part; therefore, etc.

349 Furthermore, if theology is about something contingent that is within the scope of action, then it is an active habit with correct reason. But as we read in *Ethics* VI [1140b20–1], this is the definition of prudence. Therefore, theology is prudence, not science.

I reply to the first [nn. 347–8]: there are many necessary truths about contingents, 350
because one can conclude of a contingently elicited act that it necessarily ought to be such-and-such in order to be correct; so there is science of such an act with respect to a conclusion drawn necessarily, even though the act in itself is contingent as elicited from the relevant power.

And then it is clear how one should respond to the authority of the Philosopher in *Posterior Analytics* I: there is science of what is said necessarily about something contingent, and thus necessary truths are included in the understanding of a contingent or are conclusions about a contingent drawn on the basis of some prior necessary truth.

We can use the same sort of reasoning to reply to the authority of the Philosopher in *Ethics* VI: a habit of the calculative part concerns an act insofar as it is elicited contingently; but a scientific habit, or science, concerns the same thing insofar as some conclusion is drawn about it with necessity. As for the objection that a habit of the scientific part cannot have the same object as a habit of the calculative part, I will discuss below [n. 351] how more than one habit can have the same object, although the same habit cannot have more than one object.

To the second [n. 349], I say that this argument would show that moral science is 351
prudence, for moral science is an active habit with true reason. So I say that the definition of prudence should be understood to apply to a proximate active habit, the sort of habit that is acquired from acts. Hence, moral science is related to the habit of prudence in the domain of acts in the same way that art is related to the habit of an expert in the domain of production, since the habits of art and moral science are quasi-remote from giving direction, because they are universal, whereas the habit of prudence and the habit of the expert, because they are generated from acts, are particular and are proximate to giving direction. This exposition is necessary—otherwise there would be no practical science, since every practical science is a habit concerned with either action or production, and that conclusion is untenable and is evidently contrary to the Philosopher in *Metaphysics* VI [1025b25], contrary to Avicenna in *Metaphysics* I [c. 1], and contrary to other authors.

To the third argument [n. 219], I say that by 'theology' Boethius means metaphysics. 352
As for the fact that he says something about the substance of God, I say that God is considered in that science to the extent that it is possible for him to be considered in the acquired sciences.

To the other argument [n. 220], I say that according to the Philosopher in *Politics* VII 353
[1333a21–22], it is a mark of nobility in what is lower that it touches on something higher. That's why the sensory power in human beings is nobler than the sensory power in non-rational animals, because in human beings the sensory power is ordered to the intellective power. Therefore, it is a mark of nobility in a science that it is ordered to the act of a nobler power. But the Philosopher does not posit any

science in conformity with the will's praxis concerning the end, because he did not hold that the will has any praxis concerning the end, but instead that it has a certain simple natural motion, and so he didn't hold that there could be any science that was nobler in virtue of its conformity to the end. If, however, he had held that there is some praxis concerning the end, he evidently would not have denied that practical science with respect to that praxis is nobler than speculative science with respect to the same thing: for example, if there were some speculative science concerning the same things that moral science concerns, he would not say that that speculative science is nobler than moral science. We, by contrast, say that there is genuine praxis concerning the end, and that there is cognition that is apt to be in conformity with such praxis, and consequently we say that practical cognition concerning the end is nobler than any speculative cognition. Therefore, the first proposition of the argument—which can evidently be derived from *Metaphysics* I, though the Philosopher does not explicitly affirm it—should be denied.

354 To the first proof of that proposition, I say that a science that is for its own sake is nobler than a science that is for the sake of an act lower than itself, and every practical science that he recognizes is for the sake of something lower than speculative consideration, at least because any such science concerns an object that is lower than what he says is the object of speculative science; and so any practical science that he recognizes is less noble than any speculative science. But a science that is for the sake of the act of another power, an act nobler than its own act, is not less noble on account of that ordering; for if it were, our sensory power would be less noble than the sensory power of a non-rational animal.

To the second proof of the proposition I have denied, the proof that speaks about certainty [n. 220], I say that every scientific cognition with respect to its object is equally certain in terms of proportion, since every scientific cognition resolves into its immediate principles, but not equally certain in terms of quantity, because some things are more certain cognizables than others. Thus, all the things concerning which the Philosopher posits practical sciences are less certain and less perfect cognizables in themselves than the things concerning which he posits any speculative science; so by his lights any speculative science is more certain, in terms of quantity, than any practical science. We, however, posit something cognizable that is within the domain of action—that is, attainable through an action that is genuinely praxis—that is in itself maximally cognizable, and so science concerning it is not exceeded by any other science either in terms of quantity or in terms of proportion.

355 To the other argument, about the needs of life having been provided for [n. 221], I say that this science was not discovered for the sake of extrinsic needs but for the sake of intrinsic needs—for the sake of order and the moderation of passions and actions—so that if moral science were discovered when all extrinsic needs had been met, it would be no less practical. And it was not discovered for the sake of avoiding ignorance, since many more knowable things could be transmitted in so great a

quantity of teaching than are in fact transmitted in this science; rather, the same things are frequently repeated in this science, so that hearers might be more efficaciously induced to do the things enjoined upon them in this science.

VII. Replies to the preliminary arguments of the second question

As for the preliminary arguments of the second question, to the authority of the Philosopher in *De anima* III [n. 223] I say that he is speaking there of the end as cognized; for an intellect reasoning for the sake of something reasons for the sake of an end as cognized and as it is the principle of demonstration. 356

To the second authoritative passage, from *Metaphysics* I [n. 224], I say that a practical science is not for the sake of use as its per se end; nonetheless, it does have some relation to use, such that its per se object is use or something virtually including use. Now the Philosopher posited no such thing other than a being for the end, and any such object is less noble than a speculative object; and for that reason such ordering to praxis shows [by Aristotle's lights] that a practical science is less noble than a speculative science. 357

To the third argument, from *Metaphysics* II [n. 225], I say that speculative and practical sciences have diverse ends if we are speaking of per se ends within the genus of cognition, but those ends are not what primarily distinguish the two; the prior distinction is from their objects, as was said earlier [nn. 252–5, 259, 265–6]. 358

As for the arguments for the opposite position, which argue against distinguishing [speculative and practical sciences] based on their objects: 359

To the first [n. 249] I say that there cannot be both a speculative habit and a practical habit regarding one and the same object. But as for the proof of the opposing view from the Philosopher's words in *De anima*, "the intellect becomes practical by extension," I say that the Philosopher does not say that the *speculative* intellect becomes practical by extension. Rather, Aristotle[44] identifies three levels of intellect, of which the first considers only speculative matters and the second considers matters within the scope of action but does not dictate pursuit or avoidance of anything; he says that "by extending itself further, it wills to pursue or avoid." Thus, the extension in question is of an imperfectly practical intellect to perfectly practical consideration, for example, from apprehension of terrifying things to a complete dictate concerning them, commanding flight or pursuit. Yet even granted that the speculative intellect becomes practical, that's irrelevant to the question at hand, because *speculative* and *practical* are accidental differences for the intellect,

[44] *De anima* III, 432b26–433a3.

though they are essential differences for habits and acts, and therefore habits and acts are not extended.

360 To the other argument, about medicine [n. 250], a certain writer[45] says that a universal habit is speculative, but when a particular habit is acquired from it, it becomes practical. Against this: if that were true, a practical conclusion would follow from speculative principles, which is untenable.

361 So we need to give a different response: when there are two opposed extremes, the further something gets from one of the opposites, the closer it comes to the other. What has the characteristic of the practical in the most fully actualized way is consideration that is apt to be immediately formally in conformity with praxis to be elicited; so the further something gets from this, the closer it comes to the speculative. Therefore, a universal habit, which is not apt to be immediately in conformity with praxis, can be said to be in some way speculative by comparison with a habit that is immediately apt to be in conformity with praxis to be elicited. This is how art can be regarded as a speculative habit by comparison with the habit of an expert, because it is a more universal habit and not as immediately directive, as is clear in *Metaphysics* I [981a14–24]: "the artisan will err frequently; the expert will not err." This is how medicine can be distinguished into speculative, which is about universal causes and cures, a cognition that is more remote from praxis to be elicited, and practical, which concerns particulars that are more proximate to praxis and more immediately in conformity with praxis to be elicited. Nonetheless, in truth that more universal cognition, which is called speculative by comparison, is unqualifiedly and most truly practical, since it virtually includes that particular cognition that is formally in conformity with praxis.

362 To the other argument, about goodness and badness [n. 251], I say that not every good act is primarily good from the circumstance of the end as end; indeed, there is some act that is good from the circumstance of the object, for example, where the end is the object, and in such an act the circumstance of the end as object is what primarily confers correctness on the act [cf. nn. 263–4]; for that act is unqualifiedly good in virtue of the object alone, as the act of loving God, without any other circumstances, is unqualifiedly good. It is therefore false that the first goodness of a moral act is taken from the end as end, as distinguished from the object. Indeed, it is false for a second reason, because although an act concerning what is for the end has the end as its first circumstance, there is nonetheless a prior goodness from the object in virtue of which the act is said to be good generically.[46] There is a third response, directly to the point at issue [n. 251]: even if a circumstance formally characterizes praxis so that it is good, it does not formally characterize practical intellection; for the

[45] Henry of Ghent, *Summa* a. 60 q. 1 ad 1 contra aliud.
[46] Cf. Thomas Aquinas, *ST* I-II q. 18 a. 2 in corp.

intellect does not dictate the act moderately or in an intermediate way, in such a way that the *dictating* is characterized by the circumstance "moderately"; rather, the intellect dictates according to the utmost of its power. But that dictating is correct in virtue of its principle, and the principle is taken from the first object.

Against this, someone could argue that the distinction does not derive from the 363
objects. Proof: everything formally *F* is *F* through something intrinsic to itself. So if a habit is formally practical, it is practical through something intrinsic to itself; but this is not the object; therefore, etc. Example: the sun is not formally hot, although it is hot virtually.

Moreover, the object does not distinguish a habit except as an efficient cause; efficient 364
causes do not cause effects to differ in species, because an effect in a single species can be caused by causes of diverse species, as heat in a single species is generated equivocally and univocally by fire and the sun.

To the first [n. 363] I say that being practical indicates something intrinsic to the 365
knowledge in the way that an aptitudinal relation indicates something intrinsic to the foundation; the fact that some knowledge is apt to be referred [to praxis] is a consequence of the intrinsic nature of that knowledge, and the knowledge has that nature from its object as an extrinsic cause. I say then that a habit is practical through something intrinsic as a formal cause, but through the object, which is extrinsic, as efficient cause.

To the second [n. 364] I say that although an effect of a single nature can be caused 366
by essentially ordered causes of which one is univocal and the other equivocal, as the example of heat shows, when proximate efficient causes that are of the same order with respect to the effect cause something insofar as they are distinct causes, above all if one is univocal with the effect—whether completely univocal or univocal in a diminished way—there cannot be an effect of a single nature from distinct causes of this sort. By 'completely univocal' I mean a case in which there is likeness in form and in the mode of being of the form; by 'univocal in a diminished way' I mean a case in which there is likeness in form but a different mode of being of the form, as a house in the external world has a different mode of being from a house in the mind of the maker (which is why the Philosopher in *Metaphysics* VII [1034a21–5] calls this generation univocal "in a certain way"). Therefore, because the object is a proximate cause of knowledge and a univocal cause, albeit in a diminished way, it follows that the formal distinction of objects necessarily implies a formal distinction between the knowledges they cause, because the objects cause those knowledges precisely insofar as they are distinct.

3

Ordinatio I, d. 1, part 1, q. 1

"Is the object of enjoyment per se the ultimate end?"

1 Concerning distinction 1, in which the Master discusses enjoyment and use,[1] I first investigate the object of enjoyment itself. First, I ask whether the object of enjoyment per se is the ultimate end.

Arguments for the negative:

First, based on the authority of Augustine in *83 Diverse Questions*, q. 30: "One ought to enjoy invisible goods." Now there are many invisible goods, so it is not only the ultimate end that is to be enjoyed.

2 Also, there is an argument based on reason: the capacity of the one enjoying is finite, because the subject's essence or nature is finite. Therefore, that capacity can be satisfied by something finite. And anything that satisfies the capacity of the one enjoying is to be enjoyed. Therefore, etc.

3 Also, there is something greater than the soul's capacity, as is God, who is sufficient for himself; and there is something less than its capacity, as is the body; therefore, there is something intermediate, something equal to its capacity. That something is less than God, so I have established the point at issue, that not only God or the ultimate end is to be enjoyed.

4 Also, any form at all satisfies the capacity of matter. Therefore, any object at all satisfies the capacity of a power. Proof of the inference: it is through a form received in the power that a power has to do with its object; and if one received form satisfies the power intrinsically, it follows that the object with which the power has to do through that form satisfies the power extrinsically or as terminus. Proof of the antecedent: if some form did not satisfy the capacity of matter, then the matter would be naturally inclined to some other form even with that first form remaining present in the matter, and consequently its rest under that form would be violent, for anything that prevents something from attaining that to which it has a natural inclination is violent with respect to that thing, as is clear from the case of a heavy body that is at rest outside the center.

[1] Peter Lombard, *Sent.* I d. 1 c. 2, 3.

Also, the intellect assents more firmly to a truth other than the first truth; therefore, by analogy, the will can assent more intensely to a good other than the first good. 5

Augustine speaks in favor of the affirmative in *On Christian Teaching* I.5.5: "The things that are to be enjoyed are the Father, the Son, and the Holy Spirit, and these three are one thing." Therefore, etc. 6

I. Reply to the question

To answer this question I shall first distinguish between ordinate enjoyment and enjoyment taken generally. Second, I shall discuss the first object of ordinate enjoyment, and third, the object of enjoyment in general. Fourth, I shall explain in what way enjoyment should be understood to have to do with an end: whether with the truly ultimate end, as in the second article, or with an end that is not truly ultimate, as in the third article. 7

A. Article 1

Concerning the first topic, I say that enjoyment in general is more extensive than ordinate enjoyment, since whenever a given power is not determined of itself to an ordinate act, its act in general is more universal than its special, ordinate act. Now the will is not of itself determined to ordinate enjoyment, as is evident from the fact that there can be supreme perversity in the will, as when it uses things that ought to be enjoyed and enjoys things that ought to be used, according to Augustine in *83 Diverse Questions*, q. 30. Now ordinate enjoyment is the sort of enjoyment that is apt to be correct, namely, when it is ordered in accordance with the requisite circumstances, whereas there is enjoyment in general whether such enjoyment is characterized by those requisite circumstances or not. 8

B. Article 2

As for the second topic, it is evidently Avicenna's view that there can be ordinate enjoyment of something other than the ultimate end. This is proved from what he says in *Metaphysics* IX.4, where he holds that a higher intelligence causes a lower intelligence through its own act of understanding. But then it seems that what is produced is perfect when it attains its productive principle, according to Proposition 35 of Proclus, which says that "any given thing is apt to be turned toward that from which it proceeds."[2] Now in such a return the circle is evidently completed, and thus perfection is achieved. Therefore, the produced intelligence rests perfectly in the producing intelligence. 9

An argument against this: a power is brought to rest only when its object is found in the most perfect way and in the highest degree. Now the object of the enjoying power is being 10

[2] Proclus (Lycius), *Institutio theologica* c. 34.

in general, according to Avicenna in *Metaphysics* I.6. Therefore, the enjoying power is brought to rest only where there is most perfect being, and thus only in the supreme being.

11 This is confirmed by the similar case of matter with respect to form: matter does not come to rest except under a form that contains other forms; nonetheless, something intrinsic does not satisfy it in this way as an object.[3]

12 Also, a lower intelligence seeing a higher intelligence either sees that it is finite, or believes that it is infinite, or sees neither its finitude nor its infinity. If it believes that the higher intelligence is infinite, it is not made happy in it, because "one could say nothing more foolish than that the soul is happy through a false opinion," according to Augustine in *City of God* XI.4.2. Now if it sees neither its finitude nor its infinity, it doesn't see it perfectly, and thus it is not happy in this case either. If, however, it sees that it is finite, it can understand that there can be something that exceeds it. We experience in ourselves that we can desire a good greater than any finite good that is presented to us, or that we can desire, in preference to any given good, another good that is presented as a greater good; and consequently the will can love that greater good and thus it does not come to rest in that [finite] intelligence.

13 Others[4] argue against this view [n. 9] in the following way: the soul is an image of God; therefore, it has a capacity for God and can participate in God, since according to Augustine in *On the Trinity* XIV.8.11, "the soul is an image of God in virtue of the fact that it has a capacity for God and can participate in God." Now whatever has a capacity for God cannot be satisfied by anything less than God. Therefore, etc.

But this argument does not work as a reply to philosophers, since the premise about the image of God is an object of faith only, and not something cognized by natural reason.[5] For the character (*ratio*) of the image that we conceive is an object of faith only, and not something cognized naturally by reason; for the character of the image that we conceive is founded in the soul toward God as triune and therefore is not cognized naturally, since we do not naturally cognize the extreme toward which [the character of that image-relation] points.

14 Others[6] raise the following objection to the argument for this view [n. 9]: the soul is created immediately by God; therefore, the soul rests and is brought to rest immediately in God.

But the antecedent of this argument is an object of faith only, and the philosophers would deny it: Avicenna himself posits that the soul is created immediately by the last

[3] "in this way": meaning, in such a way as to bring it to rest. The editors add a note, "Cf. above, n. 4," but in fact this argument seems to continue an argument that the editors leave out, as a "text canceled by Duns Scotus." The text would read better if n. 11 were omitted.

[4] Bonaventure, *Sent.* I d. 1 a. 3 q. 1 ad 1; Matthew of Aquasparta, *Quaestiones disputatae de gratia* q. 5 ad 13, q. 10 ad 3.

[5] Cf. Scotus, *Quodl.* q. 14 nn. [21–22].

[6] Thomas Aquinas, *Quodl.* X q. 8 in corp., *ST* I q. 12 a. 1 in corp.

and lowest intelligence.[7] Similarly, the inference is not valid here, any more than the similar argument given for Avicenna's view is valid: for it is accidental that the character of first efficient cause and the character of end coincide in the same thing, and it is not because something is a first efficient cause, but rather because it is a supremely perfect object, that a thing comes to rest in it. Otherwise our sensitive power—which, according to one view,[8] is created by God—could not rest perfectly except in God. So in the present case the efficient cause and the end are the same because the efficient cause is the fully perfect object, not because the character of an efficient cause as such includes the character of an end or of what brings something to rest.

For that reason I hold the following conclusion as far as this article is concerned: 15
ordinate enjoyment has only an ultimate end as its object. For just as only a first truth is such that the intellect should assent to it in its own right, so too only a first good is such that the will should assent to it in its own right.

C. *Article 3*

Concerning the third article I say that the object of enjoyment in general (abstracting 16
from whether it is enjoyment of an ordinate or an inordinate end) is an ultimate end: either (a) a genuine end, that is, one that is an ultimate end in virtue of what it is, or (b) an apparent end, that is, an end that is presented by erring reason as an ultimate end, or (c) a selected (*praestitutus*) end, that is, one that the will, in virtue of its freedom, wills as an ultimate end.

The first two items on the list are evident enough. I prove the third as follows: just as it is in the will's power to will or not to will, so too the way in which it wills—whether it refers one thing to another or not—is in the will's power. Therefore, it is in the will's power to will a given good for its own sake, without referring it to any other good, and thus selecting that good as its end.

D. *Article 4*

Concerning the fourth article, I say that something's being an end is not the proper 17
basis for its being an enjoyable object either in ordinate enjoyment or in enjoyment taken generally. In the case of ordinate enjoyment, this is evident for several reasons. First, a relation is not included in the beatific object in its own right qua beatific object. Second, that relation is merely a relation of reason, as every relation of God to a creature is; and a relation of reason cannot be a per se object or the basis for something's being a per se object of enjoyment. And third, if (*per impossibile*) there were some supreme object to which the will was not ordered as to an end, that object would nonetheless bring the will to rest, and yet (*ex hypothesi*) it would not have the

[7] Avicenna, *De an.* pars 5 c. 4, *Metaph.* IX c. 4, *De intelligentiis* c. 4.
[8] Henry of Ghent, *Quodl.* III q. 6.

character of an end. Therefore, something's being an end is not in fact the proper basis for its being an object of enjoyment in the case of ordinate enjoyment; rather, something's being an end is a concomitant of its being an enjoyable object. In inordinate enjoyment of an apparent end something's being an end is a concomitant of its being an enjoyable object (though perhaps it is prior in apprehension to the enjoyment that is to be elicited, as a feature of the object that attracts the will). But in the enjoyment of a selected end the object's being an end is a consequence of the act, since that indicates either a mode of the act or a mode of the object that, qua end selected by an act [of will], terminates that act, since the will confers on that object the character of end by willing it for its own sake.

II. Replies to the preliminary arguments

18 To the first preliminary argument [n. 1] I say that 'enjoy' is being used in that passage with a particular extension, to mean love of what is intrinsically worthy as opposed to love of what is useful and of what is pleasant. Or else the passage speaks of "intrinsically worthy things"[9] in the plural not because there is a plurality of such beings but because of the plurality of perfections in God that can be enjoyed.

19 To the second argument [n. 2] I say that there is necessarily some finite relation to an unqualifiedly infinite terminus or object, since what is toward an end qua end is finite, even given that it is directly proximate to the end, together with everything that suffices for immediately attaining the ultimate end; and yet the relation of end toward which it is immediately related is not founded in anything but what is infinite. And this frequently occurs in relations of proportions or proportionalities, not of likenesses, since in the former relations the first extremes are maximally unlike. Thus I say in the present context that between the power and the object there is a relation not of likeness but of proportion, and so it's perfectly possible for a capacity to be finite in nature, as the nature [in which the capacity exists][10] is finite, and yet for it to be toward an unqualifiedly infinite terminus and object as its correlative.

One might object that an adequate object satisfies [the respective capacity]. I reply: it is adequate not in reality but qua object; such adequacy is according to proportion and correspondence.

20 On this same basis I say to the next argument [n. 3] that nothing is greater qua object than the object that is proportionate to the soul; and yet something is greater in the sense of being attainable in a greater or better way than it can be attained by the soul. But that sort of being-greater is not in the object, but rather in the act. I will make this clearer through an example: suppose there is (a) a white thing visible in degree 10;

[9] The passage quoted in n. 1 of course speaks of 'invisible things' (*invisibilia*) rather than of 'intrinsically worthy things' (*honesta*) in the plural, but only two manuscripts read *invisibilia* here.

[10] The bracketed addition is found in Σ.

(b) a power of sight with the capacity for that[11] whiteness, or that white thing, to degree 1; and (c) another, more perfect, power of sight [with the capacity for whiteness] to degree 10. That second power of sight will have a perfect capacity for that white thing in every degree of its visibility, since it will see that white object to the full extent that the object's visibility allows; and yet if there is a third power of sight, more perfect and more acute than the second, it will see that white thing more perfectly still. Hence, the "exceeding" is not on the part of the visible thing or of the object in itself or of the object's degrees [of visibility], since there is unqualifiedly one thing maintaining exactly the same features throughout; rather, it is on the part of the seeing powers and of the acts of seeing.

To the fourth argument [n. 4] I say that no form satisfies the full extent of matter's 21
appetite, since matter has as many appetites to forms as there are forms that can be received by that matter; so no one form can satisfy all of its appetites. Instead, one form—the most perfect form—satisfies it most perfectly; but that one form does not satisfy all of matter's appetites unless all the other forms are included in that one form. Regarding the present question I say that one object can in a certain way include all objects, and so that object by itself brings the power to rest to the full extent that it can be brought to rest. But internal rest is not exactly like external rest. For whatever is receptive comes to rest by receiving something finite into itself, whereas what comes to rest in something external, as a terminus, need not come to rest in something finite, because it can be ordered to something more perfect than it can receive formally into itself—since something finite receives only a finite form, but it can still have an infinite object.

As for the argument that any given form brings matter to rest, because otherwise its rest under a given form would be violent [n. 4], I say that rest is never violent unless the resting thing is determinately inclined to the opposite, as in the example of the heavy body [that is determinately inclined] to go downward and its rest on a table.[12] But prime matter is not determinately inclined to any form in that way, and so it is at rest under any form; because of its indeterminate inclination to any given form, its rest is not violent, but natural.

To the fifth argument [n. 5] I say that the intellect's assent to a given truth depends on 22
the degree of evidentness that that truth is, of itself, apt to bring about in the intellect, and so it is not in the intellect's power to assent to a truth more or less firmly; its assent can only be proportionate to the truth that moves it. By contrast, it is in the will's power to assent more intensely to a good or not to assent at all, even to a good seen more imperfectly, and so one cannot validly infer something about the will's relation to what is good from something about the intellect's relation to what is true.

[11] Reading *illam* or *istam* with the overwhelming majority of MSS. I don't know how to make sense of the edition's *aliam* (A), "another." The text of this example varies unusually widely in the MSS; the translation is somewhat free and admittedly aims more at making the example intelligible than at fidelity to any particular MS.

[12] "on a table" = *super trabem*, which could equally be "up a tree" or "on a roof."

4

Ordinatio I, d. 1, part 2, q. 1, nn. 65–73

"Is enjoyment an act elicited by the will or a passion received by the will?"

65 In this question the first topic to be examined is the concepts themselves; the second is the significate of the name.

66 Concerning the first topic I say that just as in the intellect there are two acts of assenting to a complex—one in which we assent to something true for its own sake, a principle, and another in which we assent to a true complex not for its own sake but on account of some other truth, a conclusion—so too in the will there are two acts of assenting to something good—one in which we assent to some good for its own sake, and another in which we assent to some good on account of some other thing to which that good is referred, in the same way that we assent to a conclusion on account of a principle, since a conclusion has its truth from a principle. This comparison can be taken from the Philosopher in *Ethics* VI [1139a21–2], where he says that "in the mind there is affirmation and negation, but what corresponds to this in appetite is pursuit and avoidance." And thus, further, just as in the mind there is a twofold affirmation, for its own sake and on account of something else, so too in appetite there is a twofold pursuit or adherence, for its own sake and on account of something else.

67 But there is a twofold disanalogy between mind and appetite. First, the intellect's two assents are distinguished by the nature of the objects. For the two assents are different because the evidentness of the two kinds of truths is different, and so they have distinct objects corresponding to them and causing them. In appetite, by contrast, the two assents are differentiated not by a distinction on the part of their objects but by distinct acts of a free power that accepts its object in one way or the other. For, as I said earlier [n. 16], it is in the will's power to act this way or that by referring the object or not. And thus there are not distinct proper objects corresponding to these acts; rather, the will can have any given willable object as an object of either sort of act.

The second disanology is that these two assents on the part of the intellect sufficiently divide the intellect's assent in general, and there is no assent intermediate between them, since there is no intermediate evidentness on the part of an object that would ground some truth other than the truth of a principle and the truth of a conclusion. By contrast, there is on the part of the will an intermediate assent other than these two assents, since a good apprehended absolutely, neither as good for its own sake nor as good on account of something else, can be presented to the will. Now the will can have an act concerning something presented to it in this way, and not necessarily an inordinate act. Therefore, it can have an act of willing that thing absolutely, without referring it to anything else and without enjoying it for its own sake. And furthermore, it can command the intellect to inquire as to what sort of good it is and how it ought to be willed, and then it can assent to that object accordingly. And the entire basis of this disanalogy is the freedom of the will and the natural necessity on the part of the intellect.

68 Further, on the basis of these considerations: an act of assent to a good for its own sake is a perfect act; and according to *Ethics* X [1174b14–23], pleasure follows from a perfect act. Therefore, some pleasure follows from an act of willing a good for its own sake.

So concerning the present topic we have distinguished four things: (1) an imperfect act of willing a good on account of something else, which is called use; (2) a perfect act of willing a good for its own sake, which is called enjoyment; (3) an act [of willing] that is neither (1) nor (2); and (4) the pleasure that follows from an act.

69 An answer to the second main question, namely, for which of these the name 'enjoyment' is appropriate, can be gathered from the authorities that speak of this word 'enjoyment.' It is clear that (3), the act that is neither, is not an act of enjoyment, nor is (1), the act of use. The dispute is only about (2) a perfect act and (4) the consequent pleasure.

I reply: some authorities evidently say that enjoyment is only (2) this perfect act; some say that it is only (4) pleasure. Others say that it includes both, and in that case 'enjoyment' does not signify a being that is per se one, but instead something that is one by way of an aggregation of two beings, or a being per accidens. And there is nothing amiss in one name's signifying many things, since according to the Philosopher in *Metaphysics* VII [1030a6–10, 1030b4–10] 'the *Iliad*' can signify the whole Trojan War.

70 The authority of Augustine in *83 Diverse Questions* q. 30 evidently supports the view that enjoyment is only the act. He says, "all perversity, which is called 'vice,' is to use things that ought to be enjoyed and to enjoy things that ought to be used." Perversity is formally in an elicited act of the will, not in pleasure, since a pleasure is bad only because the act is bad. Also, pleasure is in the power of the one who experiences the pleasure only because the act is in his power, whereas sin as such is formally in the

power of the one sinning. Augustine also appears to say this explicitly in *On Christian Teaching* I.4.4: "To enjoy is to cleave to something with love for its own sake." This cleaving is evidently through a power that moves the one who cleaves, just as in bodies (from which this name 'cleave' was transferred to this context) cleaving is by the power of the thing that cleaves.

71 By contrast, the authority of Augustine in *On the Trinity* I.8.18 appears to say that enjoyment is just pleasure. He says, "To enjoy the Trinity is complete joy": and if we are not to twist the authority so that it indicates causality or some other meaning that the words themselves do not suggest, joy is formally pleasure. This holds likewise for what Augustine says in the question [*83 Diverse Questions* q. 30] quoted earlier [n. 70]: "We enjoy a thing in which we take pleasure." If this formula expresses identity or is a quasi-definition, then taking pleasure is essentially enjoyment.

72 But one can argue from the definition of 'enjoy' in *On the Trinity* X.10.13—"We enjoy things known, in which the will comes to rest with pleasure for their own sake"—that 'enjoyment' signifies both the act and the pleasure together. "We enjoy things known" pertains to the act, since a known object is presupposed by an act of will. But then come the words "in which the will comes to rest with pleasure for their own sake"; if pleasure were accidental to enjoyment, it should not be included in the definition of enjoyment.

Similarly, if one holds that both the act and the consequent pleasure belong essentially to happiness,[1] then all the authorities that say that enjoyment is the supreme reward or our happiness say that enjoyment includes both the act and pleasure. The authority of *On Christian Teaching* I.22.35, "the supreme reward is that we enjoy God," speaks in favor of this minor premise.

73 But we should not fight over the significate of the word. As Augustine says in *Reconsiderations* I.15.4, "when there is agreement about the thing, we should not indulge in controversy over words." There is agreement that the will has a threefold act, and a fourth item, the consequent passion. It is also evident that the name 'enjoyment' is in no way appropriate for two of the acts [(1) and (3)]. Some evidently use the name for one or the other of the other two [(2) and (4)] and for both together, in which case 'enjoyment' is equivocal. Or, if it is univocal, one should interpret certain authorities as speaking causally or concomitantly.

[1] As Scotus holds in *Reportatio* IV d. 49 q. 7.

5

Ordinatio I, d. 1, part 2, q. 2 (omitting nn. 100–33)

"Does the will necessarily enjoy an end when it is apprehended by the intellect?"

The second question concerns the manner in which the act of enjoyment is elicited, namely, whether the will necessarily enjoys an end when it is apprehended by the intellect. 77

Arguments for the affirmative:

Avicenna, *Metaphysics* VIII.7: "Delight is the conjunction of what is suitable with that for which it is suitable." An end is necessarily suitable to the will. Therefore, in virtue of the conjunction of an end with the will there is delight, and therefore enjoyment.

Also, an end moves metaphorically, just as an efficient cause moves properly speaking. Now when an efficient cause is in proximity to its patient and is not impeded, it necessarily moves properly speaking. Therefore, when an end is in proximity (that is, present) to the will and is not impeded, it necessarily moves metaphorically. 78

Also, anything that is movable presupposes something immovable. Therefore, the various and movable acts of the will presuppose some immovable act. There is no such act except regarding an end. Therefore, that act is necessarily immovable. 79

For the negative: 80

Natural necessity is not compatible with freedom. Proof: nature and will are active principles that have opposite modes of principiating; therefore, nature's mode of principiating is incompatible with the will's mode of principiating. Now the will wills an end freely; therefore, it cannot will an end by natural necessity or, consequently, necessarily in any way.

The premise that the will wills an end freely is proved as follows: it is one and the same power that wills an end and what is for the end; therefore, it has one and the same mode of acting, since diverse modes of acting indicate diverse powers. Now the will acts freely regarding things that are for the end; therefore, etc. And it is evident that there is one and the same power for both, since otherwise there would be

no power for willing what is for the end for the sake of the end. For a power that has an act concerning both extremes must be one, as the Philosopher argues in *De anima* III [426b15–29] concerning the common sense's cognition.[1]

81 Note that this argument does not disprove all necessity of immutability,[2] but only natural necessity. So let there be a more general argument proving the negative. In that case, some answer the first question[3] in the affirmative,[4] with Henry saying that the will is drawn to the end freely[5] and others saying that it is drawn naturally;[6] but they agree that it is drawn necessarily. So the arguments made here against the view discussed in the first section [nn. 91–133] apply equally to all of them, whereas this argument [n. 80] is directed in particular against the claim that the will is drawn to the end naturally, as is Augustine's argument in the *Enchridion*, found in Book II, d. 25 (look it up here in distinction 10).[7]

I. Reply to the question

82 This question can be understood as asking about (1) an end apprehended obscurely and universally, as we conceive happiness in the abstract; (2) an end apprehended obscurely and in particular, as we conceive happiness in the Triune God; (3) an end seen clearly in someone who has a supernaturally elevated will, as in someone who has a will perfected by a supernatural habit; or (4) an end seen clearly in someone who does not have a supernatural habit in the will, supposing that God by his absolute power should show himself to the intellect without giving any supernatural habit to the will.

A. The views of others

83 As for these four articles, it is said[8] regarding the first article that the will necessarily enjoys the ultimate end when it is apprehended obscurely and universally. There are three arguments for this:

The first is based on the claim in *Physics* II [200a15–16] that "as a principle is in speculative matters, so is the end in matters of action." Now the intellect necessarily

[1] Cf. *Ordinatio* I d. 10 q. un. n. 44. [2] Cf. *Ordinatio* I d. 10 q. un. nn. 23–4.

[3] Namely, whether the will necessarily enjoys an end apprehended obscurely and universally: see n. 83.

[4] Thomas Aquinas, *ST* I-II q. 10 a. 2 in corp.; Henry of Ghent, *Quodl*. III q. 17 ad arg. princ.; Godfrey of Fontaines, *Quodl.* VI q. 7 in corp.

[5] Henry of Ghent, *Quodl*. X q. 9 ad 1; XII q. 5 in corp. and ad arg. 2; cf. also *Quodl*. III q. 17 ad arg. princ.; *Summa* a. 47 q. 5 in corp.; Godfrey of Fontaines, *Quodl*. VIII q. 16 in corp.

[6] Thomas Aquinas, *ST* I-II q. 10 a. 1 in corp.; Godfrey of Fontaines, *Quodl.* VI q. 8 in corp.; VIII q. 2 in corp.

[7] Peter Lombard, *Sent*. II d. 25 c. 3–4; Scotus, *Ordinatio* I d. 10 q. un. n. 45; see also the present question, n. 150.

[8] Thomas Aquinas, *ST* I q. 82 a. 1 in corp., I-II q. 10 a. 2 in corp.; Henry of Ghent, *Quodl*. III q. 17 ad arg. princ., XIII q. 9 in corp.; Godfrey of Fontaines, *Quodl*. VI q. 7 in corp.

assents to first principles in speculative matters. Therefore, the will necessarily assents to the ultimate end in matters of action.

Second, the same conclusion is proved by the fact that the will necessarily wills that 84
on account of which it wills whatever it wills. Now it is on account of the ultimate end that the will wills whatever it wills.[9] Therefore, etc. Proof of the minor premise: the will does not will anything other [than the ultimate good] except insofar as it is a good, and every other good is evidently a participation in the ultimate end, which is the supreme good—as is evidently proved from what Augustine says in *On the Trinity* VIII.3.4: "Take away this good and that good," etc., "and see, if you can, the good itself, the good of every good."

Third, the same conclusion is proved as follows: the will cannot fail to will something 85
unless there is in it some deficiency of good or some aspect of evil; in the ultimate end apprehended universally there is no deficiency of good or aspect of evil; therefore, etc.

As for the second article, it is said[10] that when an end is apprehended obscurely and 86
in particular, the will can fail to enjoy it. This can be proved by the fact that someone can enjoy something that he knows is incompossible with such an end, as is clear in the case of someone who sins mortally.

As for the third article, it is said[11] that the will necessarily enjoys the end when it is 87
seen clearly. The reasoning is that given in the third argument concerning the first article [n. 85]: there is no aspect of evil, and also no deficiency of good, found in it. And this is the case if one sees that end by way of practical vision, whatever might be true of speculative vision. And some[12] make the additional point that there is such necessity in this connection [between vision and enjoyment] that God himself cannot, even by his absolute power, separate the practical vision of himself from enjoyment.

As for the fourth article, it is said[13] that it is impossible for a will not elevated by 88
charity to enjoy the end even when it is seen. For activity presupposes being, and therefore supernatural activity presupposes supernatural being. But a will that has not been elevated by charity does not have supernatural being, and therefore it cannot have a supernatural act.

[9] In this and the previous sentence, "on account of" translates *participatione* (which explains "participation" two sentences later). It is impossible to render the two sentences using 'participation' while both respecting the logical form of Scotus's statements and producing intelligible English; but a paraphrase into a more modern logical idiom is possible: "... if, for all *x* such that the will wills *x*, the will wills *x* because *x* participates in *y*, the will necessarily wills *y*; for all *x* such that the will wills *x*, the will wills *x* because *x* participates in the ultimate end; therefore, the will necessarily wills the ultimate end."

[10] Henry of Ghent, *Summa* a. 22 q. 2 in corp.

[11] Henry of Ghent, *Quodl.* XII q. 5 in corp.; Thomas Aquinas, *ST* I q. 82 a. 2 in corp.

[12] Henry of Ghent, *Quodl.* XII q. 5 ad 1; Godfrey of Fontaines, *Quodl.* VI q. 9 in corp.

[13] Godfrey of Fontaines, *Quodl*. VI q. 9 in corp.; Henry of Ghent, *Summa* a. 49 q. 6 in corp.

89 Also, if a will not elevated by charity could enjoy the end, it could be happy. The consequent is false, since otherwise charity would not be necessary for the will's happiness. The inference is proved as follows: enjoying the end seen in particular evidently either is happiness or formally includes happiness.

90 Another way[14] to argue for this conclusion is like this: if vision is posited, enjoyment is necessarily posited as well; and if vision is not posited, enjoyment is taken away. Therefore, vision is the total cause of enjoyment; therefore, it is unqualifiedly nobler [than enjoyment]. Proof of the first inference: otherwise all knowledge that is a per se cause of enjoyment is taken away, and without that, the will will not be able to do anything in itself. Proof of the second inference: a total equivocal cause is more perfect [that what it causes].

B. Refutation of their view

91 I argue against the first article. First, Augustine in *Reconsiderations* I.9.3 and 22.4 says that "nothing is so much in the power of the will as the will itself," and this claim has to be understood as referring to an elicited act.

92 Two conclusions follow from this: first, that an act of will is more in the will's power than any other act is; and second, that an act of will is in the will's power not merely mediately, but immediately.

From the first conclusion it follows further that an act of intellect concerning the end is in the will's power; therefore, so too is an act of the will.

From the second conclusion it follows further that if an act of the will is in the will's power mediately, through an act of some other power, it is *a fortiori* in the will's power immediately. Now it is in the will's power to will or not to will the end through the mediation of an act of intellect; therefore, it is in the will's power immediately [to will or not to will the end]. The minor premise is evident, since it is in the will's power to avert the intellect from thinking about the end; and when it has done so, the will will not will the end, since the will cannot have an act concerning something unknown.[15]

93 This argument against the first view [nn. 91–2] is confirmed, and this could be a second argument. That which, if not impeded, is necessitated to act, of necessity removes, if it can, that which prevents it from acting. If the will, when not impeded, is necessitated in virtue of its nature to will the ultimate end, it necessarily removes, if it can, everything that prevents that volition. Now not thinking about the end prevents this volition, and the will can remove this by making the intellect think continuously about the end. Therefore, of necessity the will makes the intellect think continuously about the end. The major premise of this argument is evident, since that which is of itself

[14] Godfrey of Fontaines, *Quodl.* VI q. 9 in corp.
[15] I omit the sentence that follows in the critical edition; it is omitted by most MSS.

necessitated to act is never prevented from acting except by some hindrance that overcomes its active power. This is clear in the case of something heavy: for such a thing is prevented from descending by some hindrance that overcomes its inclination, and by parity of reasoning it removes, if it can, the thing that is preventing its descent; once that is removed, the heavy body, no longer impeded, descends. For its removing the thing that hinders its effect is as necessary as its bringing about the effect that the other thing hinders.

One might object to this argument by saying that the will is not said to enjoy the end 94
in an unqualifiedly necessary way, but rather by conditional necessity—that is, if the end is presented to it—and the major premise is said to be true of what acts in an unqualifiedly necessary way. I reply that this does not undermine the argument. For things that can be impeded do not act in an unqualifiedly necessary way, but only by conditional necessity—that is, if they are not impeded. And yet the major premise is true of things that can be impeded. That's why the major premise does not say "Whatever acts necessarily, necessarily removes, if it can, what prevents it from acting," but rather, "Whatever acts necessarily unless it is impeded," etc. Thus the major premise is explicitly stated in terms of conditional necessity.

Alternatively, someone might object that the major premise is true of things that are 95
equally necessitated both to what is ultimately (*principaliter*) intended and to those things that are necessary for what is ultimately intended. Merely natural agents are like that:[16] in the whole sweep of their action, all the way to what is ultimately intended (*ultimum intentum*), they act purely out of natural necessity. The will, by contrast, is not related in the same way to the end as it is to any other being. In the end there is every goodness, and so the will is related to it necessarily; whereas in any other being there is a deficiency of good, and so the will is related to it contingently.

Against this objection I say that it is impossible for one extreme to be related to another by a certain sort of necessity and yet for some intermediate that is necessarily required between those extremes not to be related by the same sort of necessity. If that were possible, something necessary would depend necessarily on something non-necessary. Therefore, by whatever sort of necessity the will tends toward the end, it tends by that same sort of necessity toward the presentation of the end, for without that presentation it is impossible for the will to tend toward the end.

Third, one might object to the minor premise by saying that not-thinking about the 96
end does not properly prevent the will from enjoyment. By way of response one could reframe the argument as follows. Whatever rests necessarily in something present to it, necessarily holds on to that present thing if it has the thing and can hold on to it. The will (so you say) necessarily rests in the end when the end is made present to it. Therefore, once the end has been made present to the will, the will necessarily holds

[16] Reading *cuiusmodi* with a majority of the MSS for the edition's *cuius*.

on to it, so that the end is always present to the will. The major premise is proved inductively: if a heavy body necessarily rests in the center, it necessarily makes itself present to the center, and the center to itself, if it can, and it necessarily holds on to that presence so far as it has the power to do so. This is evident in the sensory appetite: if it necessarily rests in a pleasant thing that is present to it, it necessarily keeps the sense trained on that sensory object, so far as it has the power to do so, so that the object is present to it so that the appetite can take pleasure in it. The major premise is also proved by argument: the fact that *a* necessarily rests in *b* when *b* is present to *a* is a consequence of the fact that *b* is perfectly suited to *a*. On account of this very suitability, it seems equally necessary that *a* should desire to be joined with *b* so far as this joining is in its power, and such joining is a matter of *b*'s being present to *a*.

97 An alternative response to the major premise of the first argument is that it is true of what is impeded properly speaking, that is, what is prevented from acting because of something else that overcomes its active power; but that is not the case here. Instead, there is another agent whose action is a precondition for the action of the will, and for that reason the cessation of that action is said, in an extended sense of the word, to impede the will from willing. Now in a case like this, the major premise is false. For even if an agent that presupposes another's action for its own action can move that other agent to act and acts necessarily (with conditional or concomitant necessity) when that previous agent acts, it does not necessarily move that previous agent to act, since it does not act in an unqualifiedly necessary way, as what is said to be impeded properly speaking would unqualifiedly necessarily act so far as it has the power to do so; rather, it acts by conditional necessity only, that is, it acts necessarily *given* the previous action. Take the example of a power that acts contingently and yet, given an act that generates a habit, it acts by concomitant necessity.

98 On the contrary: there is no necessity in acting except through something intrinsic to the active principle; that previous action is not something intrinsic to the active principle; therefore, there is, even apart from that previous action,[17] necessity in acting, and thus there is absolute necessity in acting. Given that, we can argue as before: if there is unqualified necessity for acting, then there is unqualified necessity for bringing about that without which a thing cannot act, provided that it is in the thing's power; and in the present case, it is [in the will's power to bring it about that the intellect thinks about the end]; therefore, etc.

Confirmation: this is not a case of one action's being necessary for another, because one action is not the active power with respect to the other. Therefore, it is on account of the power's inclination to action. Therefore, the power is also necessarily inclined to the required intermediates, because there is no necessary connection between

[17] Reading *circumscripta illa* with Σ against the edition's *circumscripto illo*, which would have to mean "even apart from that intrinsic principle."

extremes unless there is also a necessary connection of all the intermediates required for the connection between the extremes.

A response to these arguments [n. 98] as well as to the main argument [n. 93]: this is a case of conditional necessity, that is, necessity given that something else is presupposed. And I concede that this is through something intrinsic to the principal agent and that the necessity applies to the intermediates just as it does to the extremes: but *all* of that is conditional, that is, presupposing the presentation of the object. 99

On the contrary: an agent that can be impeded does not act in an unqualifiedly necessary way; it acts necessarily only on the condition that it is not being impeded. Nevertheless, it necessarily removes an impediment if it can. Therefore, that is the case here. And the first response [n. 97], which says that the will is not impeded properly speaking, does not work.

. . .

Against the second article [n. 86]. It seems that the arguments for the first article destroy the second article, since the argument that there is no deficiency of good and no badness [n. 85] is evidently just as efficacious for supporting the same conclusion regarding the end apprehended in its particularity—if not more efficacious, since the whole character of the end universally is apprehended in the ultimate end understood in its particularity. Indeed, it is only in the ultimate end apprehended in its particularity that the perfection of the end taken universally, and thus the fact that it has no deficiency of good and no badness, can be shown. 134

Similarly, the second argument for the first article, the one concerning participation [n. 84], is more conclusive regarding the end apprehended in particular, since, given that created goods are goods by participation, they are more truly goods through participation in the ultimate end in particular than through participation in the ultimate end taken universally. For they participate in the ultimate end taken universally only because they participate in the ultimate end in particular, since what participates has that in which it participates as the cause or measure on which it essentially depends, and a real being does not depend on anything other than a real being and thus depends only on something singular. 135

Against the third article [n. 87]. When an elicitive principle does not elicit necessarily, what has that principle does not act necessarily. Nor does an elicitive principle that is in the same condition elicit necessarily at one time what it previously elicited contingently; therefore, the agent that has that principle will also not act necessarily. Now a will that previously contingently elicited an act of enjoyment, and has the same charity now that it had then, does not now elicit that act necessarily, since there has been no change on the will's part. This is evident from the case of Paul's rapture.[18] 136

[18] 2 Corinthians 12:2–4.

If before his rapture he had charity equal to that which he had when he was caught up in that rapture, there was no change on the part of his will or of the elicitive principle, so there was no more necessity of eliciting such an act then than there was before. At any rate, there could have been equal charity in him both during his rapture and before it.

137 Alternatively, an argument should be made along the following lines: there can be no necessity in acting except in virtue of something intrinsic to an active principle; but there is nothing new intrinsic to the active principle in enjoyment in virtue of the fact that the intellect now sees an object; therefore, there is also no new necessity in acting.

Proof of the major premise: otherwise necessity in acting would not be in virtue of the character of the active principle, and so it would be either in virtue of nothing or in virtue of something extrinsic. And if it were in virtue of something extrinsic, the active principle could act in virtue of that extrinsic thing, since if there is necessity in acting in virtue of something, there is action in virtue of that thing.

The minor premise is evident: if, as he says,[19] vision has nothing of the character of an active principle with respect to enjoyment, neither does the intellect or anything in the intellect. And if, as another approach has it,[20] vision does have something of the character of an active principle, it is nonetheless a secondary, not a primary, active principle. On that latter view, the major principle should be taken as qualified in this way: "there is no necessity in acting except in virtue of something intrinsic to a *primary* active principle." For a secondary principle does not impose necessity on a primary principle or determine it to act, but rather the converse: a primary agent uses a secondary agent in its own right and according to its own mode [of acting]; thus, if nothing in the primary principle excludes contingency, the whole action will be contingent. The minor premise is thus straightforward: there is nothing intrinsic to the primary active principle in virtue of vision.[21] Therefore, etc.

138 Also, either the end moves to this act or the power moves. If the end is what moves, it is evident that there is no necessity, since that end does not move necessarily to any created act. If the will is what moves, I argue as follows: a difference in a patient's approach to an agent does not cause necessity, but only a more intense act, as is evident in the case of something hot with respect to heatable things that approach it more or less closely. Now a difference in the presence of a cognized object—say, whether the object is seen or not seen—is evidently nothing other than, in effect, a difference in how closely what should be an object of an act of will approaches the will. Therefore, that does not make a difference with respect to necessity or non-necessity; rather, it only makes the act more or less intense.

[19] Henry of Ghent, *Quodl.* IX q. 5 in corp., XIII q. 11 in corp.
[20] Thomas Aquinas, *ST* I-II q. 9 a. 1 in corp. and ad 1, 2; Godfrey of Fontaines, *Quodl.* VI q. 7 in corp.
[21] Reading *visionem* with a handful of MSS, as the sense requires, for the edition's *fruitionem*.

Also, the claim in this article [n. 87] that it is altogether impossible for there to be an act of vision without enjoyment does not appear to be true, since any distinct absolute natures are such that the essentially prior can, without contradiction, exist without the posterior. These acts, vision and enjoyment, are two absolute natures. Therefore, vision, which is naturally prior, can, without contradiction, exist apart from what is posterior to it, namely, enjoyment. 139

One writer replies[22] that the major premise is true of absolute natures in cases in which neither depends on the other and they do not both depend on a third, whereas in the case at hand both depend on a third as on an object that causes and moves. 140

On the contrary: if they do not both depend on a third that causes necessarily, or if that third does not necessarily cause one even though it does cause the other, then the major premise will still be true, because the prior will, without contradiction, be able to exist apart from the posterior. And it is evident that these two [i.e., vision and enjoyment] do not depend on a third that unqualifiedly necessarily causes them, or on a third that necessarily causes the posterior if it causes the prior. For any absolute that can not-necessarily cause an effect immediately can also not-necessarily cause that effect through an intermediate cause, even through a caused intermediate cause; for that caused intermediate cause does not necessitate the [first] cause to cause an absolute effect of that cause. Therefore, if it does not cause the posterior absolute necessarily, it does not cause it necessarily even given the prior cause, if there is such a cause.

An argument against the fourth article [n. 88]: that in virtue of which someone can unqualifiedly act is a power; therefore, if the will cannot have an act regarding the end, when seen, by its own natural capabilities, but it can when it has charity, then charity is either unqualifiedly the power of willing regarding that object or a part of the power of willing. Both of those are false. 141

Also, if a willable object that approaches the will less sufficiently[23] can sufficiently terminate an act of the will, *a fortiori* that same object can do so if it approaches the will more perfectly.[24] Therefore, if some good apprehended obscurely can be willed by a will that has not been elevated by a supernatural habit, *a fortiori* that same object seen clearly can be willed in some act by such a will. I therefore concede the conclusions of these arguments. 142

[22] Henry of Ghent, *Quodl.* XII q. 5 ad 1.

[23] Reading *minus sufficienter approximatum voluntati* with the majority of MSS against the edition's *minus sufficienter approximatum vel praesentatum voluntati* (D).

[24] Reading *si idem sit perfectius approximatum voluntati* with the majority of MSS against the edition's *si idem sit perfectius approximatum vel praesentatum voluntati* (*vel praesentatum* appears only in two MSS, and as a correction in another hand).

C. Scotus's view

143 As for the first article [n. 82], I say that just as the will does not necessarily enjoy things that are for the end, so also it does not necessarily enjoy the end apprehended obscurely and universally.

144 As for the second article, I concede, along with the first view [n. 86], that the will does not necessarily enjoy the end seen obscurely and in particular; and there is no argument, nor should there be, against that conclusion, except for the fact that the arguments offered in the first article are equally conclusive against the second if they are sound [nn. 134–5]. I, however, do not regard them as unqualifiedly conclusive. Still, how will someone who relies on those arguments in the first article defeat them in the second? And indeed their argument in the second article [n. 86] evidently contradicts the first article [n. 83].

145 As for the third article, I say that a will elevated [by charity] does not necessarily enjoy an end seen in this way, so far as it depends on the will itself.

146 As for the fourth article, I say that a will not elevated supernaturally [by charity] can enjoy that end.

D. Replies to the arguments of others

147 Replies to the arguments for the view:

To the first argument [n. 83] I say that that comparison would support many false conclusions, since it would support the conclusion that just as we assent necessarily to conclusions on account of principles, so also we assent necessarily to things that are for the end on account of the end, which is false. So I say that the comparison holds in two respects: (1) with respect to the order of things in both domains to each other and (2) with respect to the order of things in both domains to the powers that ordinately tend toward them. I understand the comparison in this way: the order among goods is like the order among truths, and the orderly way in which goods are to be willed is like the orderly way in which truths are to be cognized. But the comparison does not hold with respect to the order of necessity in each domain as related to the relevant powers, taken absolutely. For it need not be the case that the will preserves the same sort of order in its acts as willable things are apt to have by their very nature. Nor is assent the same sort of thing in both domains, since there is necessity in the intellect because of the evidentness of an object that necessarily causes assent in the intellect, whereas there is no goodness of an object that necessarily causes the assent of the will; rather, the will freely assents to any good, and thus assents to a greater good as freely as it assents to a lesser good.

148 To the second argument, about participation [n. 84], I say that the major premise is false, since there is nothing that the will wills necessarily, and so it need not be the case that it necessarily wills that on the basis of which it wills all other things,

assuming that there is such a thing. The minor premise—that the will wills whatever it wills in virtue of or on account of the ultimate end—is also false. For there are two ways of understanding the claim that the will wills something in virtue of or on account of something: either because that something is the efficient cause of the thing willed or virtually contains it, or because that something is the first object, and other things are willed because it is willed. If the claim is understood in the first way, then the minor premise taken together with the major premise is not relevant to the question at hand, since the efficient cause in virtue of which something is willed need not itself be willed, just as the efficient cause of what is seen need not itself be seen; for it need not be the case that I first see God with my bodily eye if I see color, which is a certain participation in God as efficient cause. If the claim is understood in the second way, as being about participation in the ultimate end as first willed object, then the minor premise is false; for it is not the case that whatever I will, I will it in virtue of willing God. For if that were the case, every act of will would be actual use, an act of referring the willed object to the first willed object.

One reply to the third argument[25] [n. 85] is that although there is no deficiency of 149
good and no badness in the ultimate end apprehended universally, and therefore perhaps the will could not will-against it, because the object of an act of willing-against is what is bad or deficient, the will can nonetheless not will that perfect good, since it is in the will's power not only to will this way or that way but also to will or not to will, since the will has freedom with respect to acting or not acting. For if the will can, by commanding, move other powers to act—and not only to act this way or that but, determinately, to act or not act—it is evidently no less free with respect to the determination of its own act. And this can evidently be shown by appeal to Augustine in *Reconsiderations* I.8.3 and 22.4, where he claims that "nothing is so much in the power of the will as the will itself," which can be understood to be true only with regard to an elicited act.

It could, however, be said that the will itself commands or prevents the action of an 150
inferior power through some elicited willing, but it cannot in the same way suspend all willing, since if it did, it would simultaneously be both not willing anything and willing something. But whatever might be the case with regard to the suspension of all willing, the will can at any rate suspend every act concerning a given object through some elicited willing. And in this way I now will-against eliciting any act concerning this object, however distinctly it is presented to me. And this willing-against is an elicited act, a sort of reflexive act concerning the willing of that object: not an actual or past willing of that object, but a possible willing of that object. Even if that object is not presented in itself, it is presented in its cause, namely, in a presented object that is apt to be a principle of an act in some genus of principle.

[25] Godfrey of Fontaines, *Quodl.* VI q. 1 in corp.

151 Alternatively, one could say in reply to this third argument [nn. 85, 149] that it has not been proved that the will cannot will-against that good in which there is no aspect of evil or deficiency of goodness, just as it has not been proved that it cannot will that in which no aspect of goodness is found prior to that thing's terminating an act of willing (taking 'prior' as either "prior in fact" or "prior in apprehension"). Perhaps I will discuss this elsewhere.[26]

152 To the authoritative passage from Augustine, *On the Trinity* XIII.3.6, arguing that all will to be happy, so all necessarily will the ultimate end in which happiness consists, I say that he does not understand this in terms of actual volition. For he claims that the actor of whom he is speaking would have said something true of what all the spectators willed if he said to them all, "You all will to be happy." Now not all the spectators at that performance had at that time an actual desire for happiness, since they did not all have an actual cognition of happiness. Therefore, he is speaking of the habitual or aptitudinal volition by which the will is disposed in such a way that it is inclined straightaway to will happiness if happiness is actually presented to it by the intellect.

153 Likewise, the authority is not relevant to the question at hand. For granting that it is certain that all will happiness, this is not by an act of friendship in which they will well-being for the beatific good, but rather by an act of desire in which they will that good for themselves as a sufficient good. For it is not certain that inordinate wills have ordinate delight in the first good in itself; rather, all wills, ordinate or inordinate, have a will-of-desire for the good for themselves.[27] Now an act of desire cannot be an act of enjoyment, since everyone who desires something, desires it for one whom he loves with friendship-love. Thus, an act of desire is not an act of enjoyment; only an act of friendship is an act of enjoyment. So even if Augustine is speaking of an act of willing happiness, he is not speaking of an act of friendship but of an act of desire; thus he is not speaking of enjoyment, and so this passage is not relevant to the question at hand.

154 To the argument for their fourth article, in which they argue that activity presupposes being [n. 88], I say that that act would not be supernatural, but natural, since the will can naturally elicit some act regarding an object no matter how it is presented by the intellect. And since that act does not exceed the scope of the power, neither does the object as it terminates an act of that power.

155 To the next claim, namely that in that case such a will could be happy [n. 89], I say no. For as Augustine says in *On the Trinity* XIII.5.8, "One who is happy has everything he wills, and wills nothing bad." This definition should be understood as meaning

[26] Cf. *Ordinatio* II d. 6 q. 2 n. 63, d. 43 q. un.

[27] Reading *habent voluntatem concupiscendi sibi bonum* with the majority of MSS against the edition's *habent concupiscentiam volendi seu voluntatem concupiscendi sibi bonum* (ADV).

that one who is happy is one who has whatever he *can* will ordinately, not only whatever he actually wills right now; otherwise a wayfarer could be happy at a time when he thinks of only one thing that he has, and has ordinately. Now the will can ordinately will to have charity, since it can will not only to have the substance of an act of enjoyment but also to have its enjoyment accepted by God. Therefore, if the will does not have this, it does not have whatever it can will ordinately. I shall discuss later, in distinction 17 [part 1, qq. 1–2], in what way charity is required, not only for the act to receive acceptance but also for the sake of a certain intrinsic level of perfection in the act.

II. Replies to the preliminary arguments

Replies to the preliminary arguments. 156

To the first argument [n. 77] I say that something is either aptitudinally suitable or actually suitable. What is aptitudinally suitable is what is suitable for something in its own right and in virtue of the nature of the thing. What is aptitudinally suitable is actually suitable for everything that lacks power over whether something is suitable or unsuitable; and therefore whatever is suitable to something naturally or aptitudinally according to natural or sensory appetite is also actually suitable to that thing. But the will has power over whether something is actually suitable to it or not, since nothing is actually suitable to the will unless it actually pleases the will. For this reason I deny the minor premise, namely, "the end is necessarily suitable to the will." For this is not true of actual suitability, but only of aptitudinal suitability.

Alternatively: even if aptitudinal suitability by itself is sufficient for delight, it is not sufficient for enjoyment. Indeed, it is in virtue of enjoyment that something becomes actually suitable, whether it is aptitudinally suitable or not. If the first assumption in this reply is true,[28] one should deny the inference, "delight, therefore enjoyment."

To the second argument [n. 78] I say that the difference in modes of acting—properly speaking vs metaphorically—ruins the comparison as far as necessity is concerned. 157

Alternatively, just as something that necessarily acts-properly-speaking moves something contingently, so too something that necessarily acts-metaphorically moves something contingently. For an end—say, a natural agent—that necessarily moves something as efficient cause necessarily metaphorically-moves it, because that end is necessarily loved or naturally desired, whereas an end that moves something contingently as an efficient cause metaphorically-moves it contingently. In the present case, however, the efficient cause causes contingently and the end metaphorically-moves contingently.

[28] That is, if aptitudinal suitability by itself is sufficient for delight.

158 To the third argument [n. 79] I say that this "something immovable" need not be an elicited act. For a plurality of various and movable heatings do not presuppose one immovable heating; rather, they presuppose one first act, heat, which is a sufficient principle for eliciting all those various acts. Thus, in the present case, volitions do not presuppose one immovable volition; for if they did, a will that wills something for the end would always be the subject of two acts, or at least it would be the subject of one act that refers this to that. Rather, volitions presuppose a first act, the will, which is a sufficient basis for eliciting those various volitions.

6

Ordinatio I, d. 8, part 2, q. un., nn. 223–5, 269–74, 281–301

"Is God alone immutable?"

Concerning God's immutability, which the Master discusses in the second part of distinction 8 (though evidently one could derive immutability from God's simplicity, which I have already discussed [nn. 1–26][1]), I ask whether God alone is immutable. 223

Arguments for the negative:

If God is immutable, he is related immutably to everything to which he is related immediately; therefore, something else is immutable.

Proof of the first inference: something immutable that is, of itself, a first agent cannot be related in diverse ways to its effect. For if something sometimes acts and sometimes does not act, this seems to be a consequence of some change on its part: for this cannot be attributed to its patient's coming newly into proximity to it, or to the removal of impediments, since a first agent does not require either of these things. Proof of the second inference: whatever is related necessarily to something necessary is itself necessary.

Arguments for the affirmative: 224

Augustine, *On the Trinity* VI.6.8 and VII.5.10: "Every creature is mutable," and "only God is immutable."

And in 1 Timothy 6:16 we read, "He alone has immortality," which Augustine in *On the Trinity* I.1.2 explains by saying that "true immortality is immutability."[2] 225

[1] Lombard, however, discusses immutability first and then simplicity: *Sent*. I d. 8 c. 2, 3–8.

[2] Because I have not translated the whole question here, it might be helpful to have an outline of the rest of the question. Scotus goes on to argue that God is unqualifiedly immutable (nn. 226–9) and then investigates whether anything other than God is immutable (nn. 230–93). On the second issue, he says, there appears to be a dispute between theologians and philosophers, so Scotus begins by determining what the philosophers (chiefly Aristotle and Avicenna) actually meant, first by considering Henry of Ghent's view on the matter (nn. 232–49) and then by giving his own reading (nn. 250–8). He then offers arguments both for (nn. 259–62) and against the philosophers' view (examining and criticizing Henry's arguments in nn. 263–74 and then offering his own arguments in nn. 275–91). He then offers his own answer to the question (nn. 292–3). Finally, Scotus responds to the preliminary argument (nn. 294–301) and to the arguments for the philosophers' view (nn. 302–6); there the question ends. The translation provides

I. Against the philosophers

A. Evaluation of an argument from Henry of Ghent

269 A second argument is offered[3] against the philosophers.[4] A power that has to do per se and essentially with a certain object does not have to do necessarily with things that do not have an essential order, but only an accidental order, to that first object, since one who wills an end does not, on account of this, necessarily will the being of anything else whose being is not necessary for attaining or retaining the end in itself. Now the divine will has first to do with the divine goodness, to which creatures have only an accidental order, since they are not necessary for attaining the divine goodness, nor do they add to the divine goodness. Therefore, the divine will does not necessarily have to do with creatures.

270 Although this argument has a certain sort of evidentness in itself, it does seem to contradict some things said by the one who offers the argument, since he claims that the divine will, insofar as it has to do with things in their quidditative being,[5] necessarily wills whatever it wills, and yet things in their quidditative being have no greater order to the divine goodness than do things in their existential being.

271 And there seems to be another objection[6] to the argument. For just as the divine will has the divine essence as its first object, so too does the divine intellect. Therefore, the divine intellect would also have to do accidentally with anything other than the divine essence that it has as an object; and so it would evidently follow that God would not necessarily know anything intelligible other than himself, just as he does not necessarily will anything willable other than himself.

272 I concede the first objection, since it does not go against the truth but merely against the view of the one proposing the argument.

273 In ruling out the second objection, I confirm both the conclusion and the argument: for a will that is determined to an end is not determined to any of the things that are for the end except inasmuch as a practical syllogism concludes on the basis of the end that what is for the end is necessary: either that it must necessarily exist or be possessed in order for the end to be possessed or acquired, or that it must necessarily be loved in order for the end to be loved or possessed. We see that this holds for all

Henry's second argument against the philosophers, Scotus's second argument for the contingency of creatures, his answer to the question, and his response to the preliminary argument given for the philosophers' view that not only God is immutable.

[3] Henry of Ghent, *Quodl.* V q. 4 in corp.

[4] That is, against the view that "the first cause naturally and necessarily causes its first effect" (n. 263).

[5] Henry of Ghent, *Quodl.* V q. 4 in corp.

[6] Reading *aliam instantiam* with the overwhelming majority of the MSS against the edition's *instantiam* (AV), since Scotus will go on to speak of the objection in n. 270 as the first *instantia* and of this objection as the second *instantia*.

wills that are of the end itself: they need not, on account of the end, be determined to anything that is for the end if such a thing is not shown by a practical syllogism to be necessary for the end in one of the ways I have explained. Therefore, since the divine intellect does not cognize anything other than itself to be necessary for the ultimate end in any of these ways, the fact that the divine will[7] necessarily wills the end does not require that it necessarily wills anything other than the end.

As for the objection about the divine intellect, the cases are not similar. That the 274
intellect necessarily has to do with some object does not mean that that object is something in real entity distinct from the first object, since being cognized by the divine intellect does not mean that the object has being in its own right, but merely being as presented to the intellect or being in the intellect by way of presence. That is not the case for being willed. Quite the opposite: something's being willed—we're talking about efficacious volition here—means that it then, or consequently, has being distinct from the will; for what is willed efficaciously by God exists at some point as an effect. So the divine intellect is not related to intelligibles other than itself in the same way that the divine will is related to other willables, since that intellect can necessarily understand other intelligibles—indeed, all intelligibles—without their having any being distinct from the divine being, insofar as they are present to the divine being; nor does it follow from God's understanding them that they are formally necessary in real being. The will, by contrast, could not will any other willables necessarily without other things being at some time necessary in some real being distinct from the divine being.

B. An argument from Scotus

Second,[8] I argue as follows: something happens contingently among beings; there- 281
fore, the first cause causes contingently.

The philosophers concede the antecedent. I prove the inference as follows: if the first 282
cause is related necessarily to the cause proximate to it—call that cause *b*—then *b* is moved necessarily by the first cause. But *b* moves the cause proximate to itself in the same way in which it is moved by the first cause. Therefore, in moving *c*, *b* causes necessarily, and so does *c* in moving *d*, and so on for all the subsequent causes. Therefore, if the first cause causes necessarily, nothing will happen contingently. This argument has been treated thoroughly in distinction 2, question 1, "On God's infinity," in the argument proving that God is formally understanding,[9] and so there is no need to spend any more time on it here.

[7] Reading *necessarium ad finem ultimum quomodocumque, voluntas sua* with a number of MSS against the edition's *necessarium ad finem ultimum, voluntas sua, quomodocumque.*

[8] What follows is the second argument Scotus gives on his own for the contingency of creatures, as distinguished from the arguments (one of which is given at nn. 269–74, above) that he draws from Henry but "strengthens" (n. 275).

[9] *Ordinatio* I d. 2 nn. 79–88.

283 Furthermore (and this comes to the same thing), something bad happens in the universe; therefore, God does not cause necessarily.

284 The philosophers grant the antecedent, and I prove the inference as follows. Something that acts necessarily, necessarily produces its effect in the patient (*susceptivum*) to whatever extent the effect can be produced in it. The effect of the First Agent is goodness and a perfection. Therefore, if the First Agent acts necessarily, it necessarily produces as much goodness in each patient as that patient is able to receive. But something that has as much goodness as it is capable of having has no badness. Therefore, etc.

285 Even if one could escape this argument as it applies to what is bad in nature, as was discussed in distinction 2 of the question cited earlier,[10] there is evidently no possible escape when it comes to something bad brought about contingently—something blameworthy, in other words. For if some such bad, that is, blameworthy, thing is brought about, and it follows from this that it is brought about contingently,[11] then the First Cause does not cause necessarily, as this deduction shows.

286 Also, a cause that acts necessarily, acts to the fullest extent of its power; for just as it is not in such a thing's power to act or not act, neither is it in such a thing's power to act intensely or not intensely. Therefore, if the First Cause causes necessarily, it causes whatever it has the power to cause. But it has the power, of itself, to cause everything causable, as I shall prove [n. 288]. Therefore, it causes everything causable. Therefore, no secondary cause causes anything.

287 I prove this second inference. A prior cause's relation to what is caused is naturally prior to a posterior cause's relation, according to the first proposition in *De causis*. So if the prior cause acts as a total cause in a prior moment, it causes the whole of what would have been caused by a secondary cause in a second moment, and thus in that second moment in which the secondary cause should have caused, no action is possible on the part of the secondary cause, because the whole effect is already understood to be caused by the first cause.

288 I prove what is assumed in the argument, namely, that the First Cause has the power to cause everything causable. The First Cause has the power of every secondary cause and the whole causal perfection that is in every secondary cause, as I argued in the question "On infinity" cited earlier, in the first way, drawn from efficient causality.[12] Now there need not be any imperfection in an efficient cause, but only perfection, since causing efficiently is a matter of unqualified perfection. Therefore, the First Cause, which has in itself whatever is a matter of perfection in all the causality of any

[10] *Ordinatio* I d. 2 n. 149.
[11] Because if it were necessary, it would not be blameworthy: see *Lectura* I d. 8 n. 258.
[12] *Ordinatio* I d. 2 n. 120.

secondary cause, can by itself immediately cause anything causable, just as it can in cooperation with a secondary cause.

And if the final consequent—namely, that secondary causes are deprived of their 289
actions—is not regarded as an absurdity, I can argue from that to something still more absurd: it will turn out that the First Cause causes both all things and just one thing, such that all things will be only one thing. For just as the First Cause causes all causable things, because it causes all the things that it can cause, so too in each act of causation it will cause to the furthest extent possible and thus cause something supremely perfect; and thus all those things will be the one single [supremely perfect] thing caused, so it turns out that all those things are one single thing.

And by that same intermediate premise—namely, that it causes necessarily and to the 290
utmost extent of its causal power—it follows that the First Cause moves the heavens in non-time, or at least that he changes the heavens in non-time, so that the heavens are not moved, properly speaking.[13]

Nor does the response discussed earlier, in the previously cited question "On 291
infinity,"[14] work. For this infinite power has in itself every perfection of an efficient cause that it has in cooperation with a secondary cause, and so it follows that it can, of itself, immediately cause every effect in the heavens that it can cause in cooperation with an intelligence. Therefore, if it necessarily does whatever it can, it also causes [every such effect]. And moreover, if it causes [such an effect] immediately, it follows that the First Cause changes the heavens in non-time, because an infinite power acting to the utmost of its power cannot act in time; and if that is the case, it follows that there is no generation and corruption in these lower realms, contrary to what the philosophers say. Therefore, the premises from which these conclusions follow are false by the philosophers' own lights.

II. Scotus's view

With respect to expounding the negative part of the exclusive proposition at issue,[15] 292
I reply to the question as follows: I concede the conclusions of these arguments [nn. 275–91]. Granted, some of them might not be so convincing to the philosophers that they would be unable to respond, but they are still more probable than the arguments given on behalf of the philosophers [nn. 259–62]; and some, perhaps, are even necessary.

Nonetheless, as to this part of the question, I say that nothing other than God is 293
immutable if we are speaking of the change that is *versio*,[16] because nothing other

[13] Reading *non proprie* with all the MSS except A for the edition's *in non-tempore*.
[14] *Ordinatio* I d. 2 n. 156. [15] That is, that nothing other than God is immutable.
[16] Scotus takes the word *versio* from Damascene (see n. 229) and defines it as "a change (*mutatio*) from being to non-being or from non-being to being."

than God is formally necessary. For everything else is mutable as a subject, except on account of negative imperfection, as is the case with an ultimate accident, which on account of its imperfection (if, say, it is a relation) is not mutable as a subject because it can't *be* the subject of anything; this is because it is imperfect negatively, that is, not capable of any perfection. But nothing other than God is immutable because of its perfection. For if there were any such thing, it would surely be the First Intelligence. But the First Intelligence can change from one intellection to another. Proof: it can have an intellection of any intelligible, since even our intellect can have an intellection of any intelligible. But it cannot have a single intellection of all intelligibles, because if it did, it would be infinite, as I argued in distinction 2, question 1 [nn. 101, 125–9]. Nor is there a simultaneous infinity of all intelligibles, for if there were, an intellect that possessed all of them at once in actuality and distinctly would evidently be infinite. Therefore, the First Intelligence can have an intellection of one intelligible after another intelligible and after an intellection of another intelligible.[17] Therefore, it is mutable.

III. Reply to the preliminary arguments

294 Reply to the arguments offered for the philosophers' view:

As for the argument that the First Cause changes if it is not related necessarily to the cause proximate to it [n. 223], I reply that a new effect can be brought about by an already-existing will without any change on the part of that will. For example, in virtue of my persistent (*continuata*) will to do such-and-such, I shall do it at the time at which I will to do it. And in the same way God willed in eternity that something other than himself should exist at such-and-such a time, and then he created that thing at the time at which he willed it to exist.

295 You might object, taking your cue from what Averroes says in *Physics* VIII com. 15, that in that case God will, at the very least, be awaiting the right time if he does not immediately bring about the existence of the effect when he wills its existence. Moreover, according to Averroes in that same passage, this introduces indeterminacy—contingency with respect to either of two possible outcomes—and what is indeterminate in this way cannot of itself issue forth into an act. Therefore, if in God there is this sort of contingency with respect to causing, he evidently cannot determine himself to causing.

297 I reply to the first [n. 295]: One who exists and wills in time either wills with an efficacious volition, without reference to a time for which he wills it, or else he wills that it exist at some definite time. If he wills in the first way, he would immediately bring about what he wills if his will is perfectly powerful. If he wills in the second way,

[17] Σ alone reads (equivalently but far more elegantly), "Therefore, the First Intelligence, after an intellection of one intelligible, can understand another."

then even granting that his will were unqualifiedly powerful, he would nonetheless not straightaway bring about what he wills; rather, he would bring it about at the time at which he wills that it should exist. Therefore, he would await that time, since he is a being in time. But when we apply this analysis to God, we must remove the imperfections. His will, after all, is not powerless; nor does it have its being in time so as to have to await the time at which it will produce what it wills. So if God wills something such that he does not will it to exist necessarily when he wills, but instead wills that it exist at some determinate time, he of course does not await that time, since the activity of his will is not in time.

As for the second claim, about the indeterminacy of a cause that causes contingently [n. 296], I have explained elsewhere[18] about the two different kinds of indeterminacy: indeterminacy of a passive power and indeterminacy of an unlimited active power. God's being undetermined with respect to causing exemplifies the second kind of indeterminacy, not the first. And this is not indeterminacy with respect to a plurality of disparate effects, to each of which it is determined naturally, in the way that the sun is related to the plurality of effects that it can bring about. No, God is undetermined with respect to contradictories, and it is in virtue of his freedom that he can be determined to either of those contradictories. Our own will is undetermined in this same way, as a consequence of its own power,[19] with the indeterminacy of an active power to either of a pair of contradictories; and it can be determined by itself to this or that. 298

Suppose you ask why the divine will is determined to this contradictory rather than that. I reply: "It is characteristic of the improperly educated to seek causes and a demonstration for everything"—so says Aristotle in *Metaphysics* IV [1006a5–8]—"for there is no demonstration of a principle of demonstration." *That the will wills this* is immediate, such that there is no intermediate cause between the will and what it wills, in the same way that *heat heats* is immediate (though the latter case is a matter of what is natural, whereas the former is a matter of freedom). Consequently, there is no cause of why the will wills this other than the fact that will is will, just as there is no cause of why heat heats other than the fact that heat is heat. For there is no prior cause. 299

You might ask how there can be immediacy in such a case, given that there is contingency with respect to both [of the pair of contradictories]. I explained elsewhere, in the question on the subject of theology,[20] that among contingents there is something first, which is immediate and yet contingent, since one does not terminate the explanatory regress with something necessary (for something contingent does not follow from something necessary). And so in the present context one must 300

[18] Cf. *Ordinatio* I d. 3 n. 545 and d. 7 nn. 20–1.

[19] "as a consequence of its own power" translates *virtualiter*.

[20] *Ordinatio* prol. n. 169.

terminate the explanatory regress with "God's will wills this," which is contingent and yet immediate, since there is no other cause conceptually prior to the will that explains why the will is of this and not of that. This makes it clear how we should think about Avicenna's claim that God's action is in him through his essence and is not in him accidentally:[21] it is true that his willing is his essence, yet it goes forth contingently to this object or[22] that, as will be explained later in the material on future contingents.[23]

301 Given these considerations, it is clear how to reply to the argument at the beginning [n. 223]: God's necessity is compatible with the mutability of that to which he is related immediately. For that which is immediately from something immutable is mutable without any change on the part of what is immutable, since the relation of that immutable thing to what is proximate to it is contingent, and therefore the extreme of that relation is contingent and mutable even though the foundation is immutable.

[21] Avicenna, *Metaph*. IX c. 4. [22] Reading *vel* for the edition's *et* (AV).

[23] Scotus did not revise his discussion of future contingents for the *Ordinatio*; I have supplied the corresponding material from the *Reportatio*.

7

Ordinatio I, d. 17, part 1, qq. 1–2, nn. 55–67, 92–100

"Is a moral habit, as a virtue, in some way an active principle with respect to moral goodness in an act?"

We still need to go on to inquire about the accidental goodness of an act—moral goodness is a kind of accidental goodness—and about moral habits. Is a moral habit, as a virtue, in some way an active principle with respect to moral goodness in an act? 55

Arguments for the affirmative: 56

According to the Philosopher in *Ethics* II [1106a15–17], a virtue is "what perfects the one who possesses it and makes his act good." Now it does not make his act good qua passive principle, since a virtue is not a basis for receiving something; therefore, it makes his act good qua active principle.

Furthermore, a virtue is "a disposition of what is complete to what is best," as we read in *Physics* VII [246b23]. Now it is not a passive disposition, since (as was just argued) it is not a basis (*ratio*) for receiving anything; therefore, it is a disposition qua active principle. The argument is confirmed: "as good is to good, so is best to best."[1] And since the best characteristic (*ratio*) is that of an active principle, it follows that it is as an active principle that a virtue perfects a power, and thus it perfects a power with respect to acting. 57

Furthermore, a virtue moderates passions. Now it does not moderate passions qua passive principle, since the object, being a natural cause, causes an act to the utmost of its power, and therefore to the fullest extent that it can, if it is not impeded by anything acting counter to it. Therefore, in impeding the object from acting to the full extent of its power in this way, it is qua active principle that a habit moderates a passion by restraining it. 58

[1] Cf. Aristotle, *Topics* III.4, 117b33–6.

59 Furthermore, in *Ethics* II [1105b7–9] the Philosopher says that "although someone who does not possess justice can do just acts, he cannot do them justly." And the same applies to other acts. But moral goodness requires acting justly or courageously. Therefore, virtue is a principle of an act qua good in such a way that an act cannot be good without it.

60 But one can argue for the opposite of this conclusion on the basis of the fact that moral goodness in an act indicates nothing other than a relation. For an act's being characterized by appropriate circumstances is not something absolute in the act, but simply the appropriate relation of the act to those features that ought to characterize it. Therefore, an act's being characterized by appropriate circumstances, just like any other relation, has no active principle of its own.

61 Moreover, if a habit qua virtue were an active principle of moral goodness in an act, then given that a habit is a virtue only by way of a relation—namely, only through its conformity with prudence (for a virtue is "a habit concerned with choice of the mean as determined by right reason"[2])—it follows that some relational characteristic in a virtue would be an active principle, which is impossible.

I. Scotus's view

62 Concerning this topic, it can be said that just as beauty is not some absolute quality in the beautiful body, but rather is the aggregation of all the features that are suitable to such a body (for example, size, shape, and color) and the aggregation as well of all the relations of those features to the body and to each other, so too the moral goodness of an act is in effect a certain comeliness in that act, comprising the aggregation of the appropriate proportion to all the features to which the act ought to be proportionate (for example, the power, the object, the end, the time, the place, and the manner of acting), and in particular as right reason dictates that these features ought to characterize the act—so much so that we can say that the suitability of an act to right reason is, more than any other feature, the feature whose presence makes an act good and whose absence makes an act bad, no matter what other suitable features might characterize the act. For whatever the act may be, and whatever sort of object it might have, if it does not accord with right reason in the agent (for example, if the agent does not have right reason in acting), the act is not good. Therefore, the moral goodness of an act is principally the act's conformity with right reason when right reason gives a complete dictate concerning all the circumstances that are appropriate for that act.

63 Now this goodness has no active principle of its own, just as no relation has an active principle of its own, and especially because this relation[3] follows in virtue of the nature of the extremes once those extremes are given. For if an act is actually

[2] Cf. Aristotle, *Nic. Eth.* II.5, 1106b36–1107a2. [3] That is, moral goodness.

performed and right reason is actually present in acting, it is impossible, in virtue of the nature of those extremes, for conformity with right reason not to follow. Now a relation that necessarily follows from its extremes does not have a cause of its own, distinct from the cause of the extremes.

Therefore, there is no need for any habit to have the character of an active principle 64
of this accidental feature of the act, its moral goodness, except insofar as it has the character of an active principle with respect to the substance of the act that is apt to conform to a complete dictate of prudence. And some habit inclines to that act in itself in virtue of the nature of a habit, and as a consequence it inclines to an act that conforms to right reason if right reason is present in the agent.

What we should say about the habit is in keeping with what we said about the moral 65
goodness of an act: a moral virtue adds nothing over and above the substance of the habit, as a form in the category of quality, besides habitual conformity to right reason. For suppose there is a habit generated from acts of abstinence elicited with erroneous reason in the agent: if that very same habit in nature remains once the agent's reason is right, it would then be the virtue of abstinence, whereas before, as long as right reason with respect to abstinence was lacking, it was not a virtuous habit. And yet nothing about that habit in itself has undergone change; it's just that now the habit is conjoined with prudence, whereas before it wasn't.

Therefore, being conjoined with prudence confers the status of virtue on a habit as a 66
form in the genus of quality when that habit is by its nature apt to be conformed to prudence. And thus a habit that is a moral virtue indicates nothing in absolute entity distinct from that same habit in nature that is not a virtue if it is apart from prudence. Consequently, that habit cannot have any causality as a virtue other than what it has as a natural quality of that sort, unless the habit-as-conjoined-with-prudence is apt to be a secondary cause, as directed by prudence, with respect to the effect that is common to both.[4] But the habit-as-apart-from-prudence cannot be a secondary cause with respect to that same effect, in much the same way that sight in a madman cannot be a free power by participation, because the madman cannot have the use of his will, which is a free power essentially, whereas a sane person has the use of sight as a power free by participation and as a secondary cause with respect to the will. But still, when the habit is a secondary cause with respect to prudence, it has a causality of its own, suited to it in its own order of causing, precisely in virtue of its being the sort of form or quality that it is in nature, and not in virtue of its relation of conformity, or being conjoined, with prudence. For although a secondary cause conjoined with a primary cause acts differently from how it acts apart from the primary cause, it has no active power of its own in virtue of being thus conjoined; rather, [it has whatever causality it has] in virtue of its own absolute nature.

[4] That is, moral goodness.

67 Therefore, we cannot identify any special characteristic on the basis of which a virtue as virtue is the principle of an act as morally good—neither on the part of the act insofar as it is morally good [n. 64] nor on the part of the habit insofar as it is a moral virtue [n. 66]—other than that which the habit and the act have in virtue of their natures.

. . .

92 To the arguments brought forward for the affirmative answer to this question,[5] which appear to show that a moral habit qua virtue is an active principle of an act qua moral, I reply that moral goodness in an act, as I said above [n. 62], is the completeness of all [suitable] conditions and circumstances, and particularly as right reason dictates that those conditions ought to be present in the act. Therefore, it is unqualifiedly necessary for the moral goodness of an act that a complete dictate of right reason precede it and that the act be conformed to that dictate as what is measured to its measure.

93 But it need not be the case that that dictate be from any intellectual habit—say, prudence—or that the act conforming to the dictate be elicited from any appetitive moral habit. For a correct dictate unqualifiedly precedes prudence, since the first degree of prudence is generated through a correct dictate; and in the same way, a correct choice unqualifiedly precedes a moral habit, since the first degree of moral virtue is generated through a correct choice. So in the first act someone both dictates rightly without prudence's having been generated and chooses morally rightly without a moral virtue's having been generated. Yet once prudence has been generated by this first act or by a number of other correct dictates, it inclines more to eliciting similar dictates, that is, to drawing correct conclusions of practical syllogisms concerning all the circumstances that ought to be present in the act that is to be elicited. Similarly, once a moral virtue has been generated after the first act, it inclines more to eliciting acts similar to the acts through which it was generated.

94 Nevertheless, one must understand that the element of moral virtue that is generated[6] is a quality, and conformity to prudence is not essential to that quality as such. For that very same quality could be generated by similar acts of the same species elicited apart from prudence (indeed, with erroneous reason, if such reason were present); and the quality that is generated from these acts is not, according to its natural species, a virtue simply because it is this quality. Rather, the conformity of that quality with prudence—or, to speak more explicitly, its coexistence with prudence in one and the same agent—is still necessarily required. For indeed, whether prudence is present or not, that habit is always apt to be in conformity with prudence

[5] "for the affirmative answer to this question" is literally "for the fifth way," but the first four "ways" do not appear in this excerpt.

[6] "the element of moral virtue that is generated" translates *illud quod generatur de virtute morali*. Less literally, but perhaps also less misleadingly: "what is generated when moral virtue is generated."

if prudence were present. (Thus, a habit of abstinence generated by acts done on the basis of erroneous reason is always apt, so far as that habit itself is concerned, to be in conformity with prudence, even if prudence is not present—in a way that another habit generated by excessive acts is not apt to be in conformity with prudence.) So when a quality that is apt to be in conformity with prudence coexists with prudence, it has not only aptitudinal but actual conformity with prudence, since both habits incline to similar acts; and an act elicited in accordance with the inclination of these two habits is morally good. If the act were elicited only in accordance with the inclination of the quality that is materially a moral virtue, without prudence coexisting in the same agent or inclining to that act, the act would not be morally good.

In this way, then, it is evident that this quality, which is materially a moral virtue (and 95
which fully has the character of moral virtue through coexisting with prudence) is related to prudence, when prudence is present, as a secondary cause to a primary cause with respect to the common effect that they elicit. For when that quality coexists with prudence, prudence is in effect the prior cause and the moral habit in effect the posterior cause. Now these two causes, concurring at the same time in eliciting the act, can bestow moral goodness on the act, which the secondary habit could not bestow by itself, if it were apart from prudence or right reason. Indeed, to bestow moral goodness just is to bestow conformity with right reason; and this quality bestows such conformity not simply because it is this quality, but because in causing the act it coexists with prudence, which simultaneously inclines to that act.

It is therefore evident that the quality that is a virtue has no special causality qua 96
virtue with respect to moral goodness in an act; rather, qua virtue it has coexistence with another cause of the same act, and that cause, in simultaneously concurring in eliciting the act, bestows moral goodness on the act because it bestows conformity with itself. But even then that habit has no causality with respect to the act in virtue of its coexistence with prudence, but only in virtue of its nature as this quality; and thus one should not grant that that habit has any special causality in virtue of being moral, over and above the causality that it has in virtue of being this habit.

And one should also note that this goodness, as it is attributed to prudence inclining 97
in this way (as I said at the outset [nn. 92–3]), does not necessarily or exclusively belong to the habit of prudence; rather, it belongs to an act that is apt to be an act of prudence, which is a correct dictate. For if a correct dictate is present and the appetite desires in accordance with it (as in accordance with its measure), the act is morally right; and if that right dictate were not present, but prudence were present (such that the intellect would be able to dictate rightly in accordance with prudence), the act elicited without a correct dictate would not be perfectly good. And so when prudence is not present, an act that is a correct dictate is sufficient to dictate a correct act; by contrast, when prudence is present, it is not sufficient without its elicited act, and thus the rectitude that prudence bestows on a moral act is bestowed through the proper act of prudence.

II. Replies to the preliminary arguments

98 Replies to the authoritative passages cited for the affirmative answer to this question,[7] which appear to imply that virtue qua virtue is an efficient cause of the moral goodness of an act:

First, to the argument from *Ethics* II that virtue "makes his act good" [n. 56], I say that it makes the act good either by inclining, which belongs to the habit qua this quality according to its natural species, or else (because merely inclining is not sufficient for it to make the act good, since the quality would incline in the same way without prudence) it is qua virtue—that is, qua coexisting with prudence—that it makes the act good. Indeed, it does make the act good according to its own genus of causality, as a secondary cause, and it does so in virtue of the higher cause, which is prudence. Therefore, if one accepts the third approach and affirms that a habit is active, virtue makes an act good as an active cause,[8] but as a partial and secondary cause; if one accepts the fourth approach, then virtue makes an act good by way of inclination, and not merely because it inclines to the act but because it does so together with the virtue of prudence.

99 To the other argument, about moderating passions [n. 58], I say that a moral virtue does not actively moderate a passion in the sense that it lessens a passion that has already been brought about by the object—for a pleasant object that is present naturally moves to the utmost of its power. Rather, a habit can make an object less suitable to the habituated power than it would be to that power without the habit. For just as being up high is more unsuitable to a heavy body than to a neutral body, even though heaviness is not an active principle of descent, so too some excessive pleasure would be suitable in and of itself to a power, but when that power is habituated by a habit that inclines it to moderate acts, that excessive pleasure is unsuitable—or at least not *as* pleasant and suitable. Accordingly, it is in effect through a formal or virtual incompatibility with the habit that a habit moderates an unsuitable or excessive object so that the power does not take excessive pleasure in that pleasant object. And from this it does not follow that the habit is in some way active, just as wetness in wood is not active, even though it moderates fire so that it does not immoderately or vehemently heat as it would a dry body.

Alternatively, one can say that virtue does not moderate a passion that has already been brought about or already inheres in a thing, but rather a passion that is going to be brought about, insofar as it inclines the power (in connection with prudence, which coexists in the same agent) to flee immoderate pleasurable objects that are apt to cause immoderate pleasure, and to make room only for pleasurable objects that are apt to give moderate pleasure. Indeed, it moderates a passion, not by diminishing a

[7] See note 5.

[8] That is, by actively moving the power to a morally good act. The third approach attributes some active causal power to a habit; the fourth treats habits as no more than inclinations.

pleasure that is already present, but by forestalling an immoderate passion that would be present.

To the next argument, that without justice someone cannot act justly [n. 59], I reply 100
that in the first act, when there is a correct dictate that is such as to generate prudence and there is a choice of some just act in conformity with that dictate, the one who chooses does not merely do something just: he acts justly. But it should be understood that someone without justice does not act justly in terms of every perfection that can characterize someone's acting justly. One such perfection is pleasure and ease in acting, which does not characterize an unhabituated power as it does a habituated power.

8

Ordinatio I, d. 38, q. un.

"Is God's knowledge with respect to created things practical?"

1 Concerning distinction 38 I ask whether God's knowledge with respect to creatable things is practical.

Argument for the negative:

Metaphysics II [993b20–1]: "Activity is the end of practical [knowledge]"; but nothing outside God is his end.

2 On the contrary:

On the Trinity VI, in the last chapter: "The art of the wise God," etc.[1] Art is a practical habit. Therefore, etc.

3 Similarly, *83 Diverse Questions*, q. 46 [n. 2]: "The ideas are reasons according to which every formable thing is formed."

I. Reply to the question

4 Quite a lot was said about practical and speculative cognition above, in the question on whether theology is practical.[2] Briefly applying some of that discussion to the question at hand, it can be said that there are two defining features of a practical habit: conformity to praxis (which conformity it has in virtue of the object of the cognition) and its natural priority to that same praxis, because praxis—in the sense in which an activity is called "practical" from praxis—is an activity that is distinguished from speculation. Now no activity distinct from speculation is in the power of the one speculating unless it is, or can be, naturally posterior to speculation; and only cognition that concerns praxis that is in someone's power is identified as practical cognition in that person.

[1] Augustine, *De Trin*. VI.10.11, "the perfect Word and a certain Art of the almighty and wise God, full of all the living, unchangeable reasons."

[2] *Ordinatio* prol. pars 5 qq. 1–2 nn. 217–366.

On this basis one should realize further that practical cognition—meaning practical 5
cognition that is most fully actual and proximate to praxis—is a verdict about some praxis to be elicited (that is, the judgment of a conclusion of a practical syllogism); such cognition is the end of a movement of the intelligence, but activity begins from it. Practical cognition encompasses not only cognition that is proximately practical in this way, but also cognition of practical principles that virtually include it, and even quidditative cognition of the terms that include practical principles, as I said there.[3] Because this is what practical cognition is, any intellect that cannot have any such cognition that (a) gives a dictate concerning activity and (b) is naturally prior to the praxis that such cognition is about—and cannot have cognition of principles from which it might infer such cognition that gives dictates concerning activities, and cannot have quidditative cognition of the terms in which such principles are included—evidently cannot have practical cognition understood in the most proper sense, in accordance with the two conditions stated earlier: that is, conformity to the object and priority. Now given how God's cognition is related to the act of his will, the divine intellect does not have beforehand any cognition dictating that anything should be done, or any cognition of a principle, or any quidditative cognition of a term that includes a practical principle; therefore, the divine intellect has no cognition that is in conformity with, and prior to, such praxis.

Proof of the minor premise: if, before any act of the divine will, the divine intellect 6
could have some such cognition, it would have it purely naturally and necessarily, because all cognition in the divine intellect that precedes an act of will is purely natural and is had through the divine essence as a purely natural ground of understanding; therefore, the divine intellect would know of necessity that such-and-such is to be done, and then God's will, to which his intellect would present such cognition, could not fail to will it; for if it could, it would be able not to be correct, being able to deviate from correct practical reason and thus not to be correct. Therefore, the divine will would will every act of necessity, because the same reasoning applies to any given act.

To this one might object, first, that by this argument the divine intellect would not 7
have any speculative cognition: for either the divine will would necessarily will that the intellect speculate, in which case there would not be primary freedom on the part of the will, or else the will would be able not to will that the intellect speculate, in which case the will could fail to be correct.

And furthermore, if some universal law—for example, "Whoever is to be glorified is 8
to be given grace"—is first presented by the divine intellect, and the divine will accepts it and thereby establishes it as a law of wisdom, and the intellect then presents to the will "Peter is to be beatified," if the will accepts this, then evidently the intellect

[3] Ibid., nn. 260–3, 276–7, 314.

knows on that basis that Peter is to be given grace.[4] And this is cognition that gives a dictate but is not in itself taken formally from the will, although the will does bring about the truth of the premises from which the intellect has this cognition.

9 To the first of these [n. 7]: the divine intellect is speculative by necessity of nature, and with respect to this there is no freedom, formally, though it does not happen without the will's being pleased with it. For God is necessarily a knower. Now it is not in virtue of his will that he is properly a knower, just as God exists, not in virtue of his will, but by necessity. So the argument "If the will cannot fail to will that the intellect speculate, it is not supremely free" is a non-sequitur, since its freedom is not with respect to what is intrinsic to God (those things precede, as it were, any act on God's part). Rather, his freedom is with respect to all creatable things, and for that reason one must ascribe to God's will the first determination with respect to creatable things. But this would not be the case if the practical intellect predetermined the divine will; indeed, freedom in the proper sense could not be salvaged in his will with respect to creatable things—nor could any contingency—because the intellect would necessarily predetermine the will by sheer natural necessity, and the will would necessarily be conformed to the intellect. But something that is necessarily (even by the necessity of consequence) in conformity with something necessary cannot be contingent.

10 To the second [n. 8] I say that the divine intellect does not know anything discursively, as this argument assumes. But we can distinguish instants of nature: in the first instant the divine intellect apprehends everything within the domain of possible action (both the principles of possible actions and particular possible actions); in the second instant it presents them all to the divine will, which accepts some of them—both some of the practical principles and some of the particular possible actions; and then in the third instant the intellect knows those particulars and those universals equally immediately, and thus it does not acquire cognition of those particulars from principles predetermined by the divine will. This will become clearer in the question on God's knowledge of future contingents.[5]

II. Replies to the preliminary arguments

11 To the authoritative passage from Augustine [n. 2] I say that art is a "productive habit with true reason," as we read in *Ethics* VI [1140a20–1]. If this is to be a definition of art in the fullest sense, 'true reason' must here be understood to mean *correct reason*, that is, reason that directs or rectifies the power whose function it is to act in accordance with art. But a habit with true reason is art in a diminished sense when it is a habit that merely apprehends the correctness of possible actions but does not

[4] "is to be given grace": reading *gratificandum*, as the sense requires, for the edition's *glorificandum*.

[5] Scotus did not revise that question for the *Ordinatio*. See instead *Lectura* I d. 39 nn. 43–4, 62–6; *Reportatio* IA d. 38 nn. 35–44.

direct or rectify in such matters. It can be conceded that there is art in God in this second sense, because once his will has made its determination concerning all the things that are to be done, his intellect cognizes this order of things to be done, and then there is correct reason: that is, reason that cognizes correctness, but not correct reason in the sense that it directs the active power. And that is especially the case if one posits that the will itself, and not some other executive power, is the power that acts externally. If one were to posit an executive power other than the will, one could evidently apply the notion of correct reason in relation to that active power in a different way from that in which it is applied in relation to the will.

The reply to the other passage from Augustine [n. 3] is clear on this same basis. For 12
ideas are secondarily cognized objects, as was said above,[6] in accordance with which certain external objects are made. But these secondarily cognized objects do not include any knowledge that dictates that such-and-such should be done or not done, even though they do represent things that can be done. And cognition that is strictly of what *can* be done is not practical science unless it virtually includes a principle or a practical conclusion, which is not the case for the ideas in the divine intellect.

[6] *Ordinatio* I d. 35 nn. 40, 42.

9

Reportatio IA, dd. 39–40, qq. 1–3, nn. 24–59

The nature and cause of contingency

24 To answer these questions[1] we must deal with four preliminary issues: first, whether there is contingency in things; second, given that there is, we need to determine the first cause of contingency; third, we must show how the primary basis of contingency can be found in God; and fourth, we need to clarify certain propositions that arise in this discussion.

I. Contingency in things

25 As for the first issue, it is important to note that there are two sorts of contingency in things, just as, by contrast, there are two sorts of necessity: there is necessity of immutability and necessity of inevitability. Necessity of immutability characterizes something that cannot be otherwise: for example, God is a necessary being in this way. By contrast, necessity of inevitability is the kind of necessity at issue when we say that some future event is inevitable, even though it is not immutable or necessary in itself: for example, that the sun will rise tomorrow is necessary with the necessity of inevitability, and other natural motions are necessary in this same way; and yet they can be otherwise, and therefore they are not unqualifiedly necessary or immutable.

26 In the same way, there are, by contrast, two sorts of contingency in things. There is contingency of mutability, in virtue of which something can in itself be otherwise: movable and corporeal things are contingent in this way. And there is contingency of evitability, which characterizes things whose outcome and existence can be avoided and impeded: all acts of will that are freely caused by the will are like this.

27 And these two contingencies are not the same, because not everything that is contingent in the first way—for example, something generable, which is contingent

[1] Q. 1, "Does God immutably know future contingent events?"; q. 2, "Does God necessarily know future contingent events?"; q. 3, "Is it possible for someone predestinate to be damned?"

in itself—comes about contingently and only seldom. Indeed, some things, such as generable and corruptible things, come about necessarily, even though in themselves they are not necessary, but contingent. By contrast, things that are contingent in the second way come about contingently and are generated contingently, and they are not necessary in themselves. Thus both sorts of contingency are in things, since some things are produced contingently through motion and are also contingent in themselves.

But I don't see how it's possible to prove the contingency of things *a priori*, since one 28
can't prove it through the definition of the subject of contingency, namely being, since there is no order[2] and therefore it is difficult to find a middle term for such a proof, or through the passions of being, or through a prior passion, because there is no passion of being prior to contingency, since *contingent* and *necessary* together are the [most basic] division of being. Nor could one prove contingency by supposing the other disjunctive passion of being, namely necessity, unless one stipulated that they are relative opposites in the way that cause and caused are—which is false. For it does not follow that if the nobler disjunct exists in the universe, the less noble disjunct does also. Now the converse inference does hold, but then you don't have an *a priori* argument.

Even the Philosopher,[3] who affirms that there is contingency in things, did not prove 29
this *a priori*, but *a posteriori*, on the grounds that if there is no contingency, there is no point in making any effort or deliberating. For it is at least as well-known to everyone, if not in fact better-known, that there is contingency in things as that there is a point in deliberating and making an effort.

So it can be proved *a posteriori*, on the grounds that otherwise there would be no 30
need for virtues or precepts, merits or rewards, punishments or honors: in short, all civic order and all human interaction would be destroyed. And to those who deny contingency one should respond with torments and fire and suchlike; they should be beaten until they acknowledge that it is possible for them not to be tormented and thus affirm that they are tormented contingently and not necessarily—much as Avicenna[4] proposed doing to those who deny the first principle. They should be whipped, he said, until they knew that being tortured and not being tortured, being burned and not being burned, are not the same.

So given that one cannot prove *a priori* that there is contingency, much less can one prove that some particular event takes place contingently.

[2] That is, contingency does not characterize being in virtue of some further feature of being that is intermediate between being and contingency (and therefore explains why contingent being is contingent); rather, contingency characterizes being immediately.

[3] *De interpretatione* 9 (18b31–19a5). [4] *Metaph.* I c. 8.

II. The first cause of contingency

31 Taking it as given, therefore, that there is contingency in things, we turn to an investigation of the second topic: what is the primary basis of contingency? My view is that the primary basis of contingency is in the divine will, or in its act, in relation to things other than itself.

32 Proof: If the divine will acted of necessity in causing things other than itself, (1) there would be nothing contingent in the universe; also, (2) there would be no secondary cause in the universe; and (3) third, there would be nothing bad in things—all of which are absurd.

33 I prove (1) as follows: if something that moves insofar as it is moved, is moved necessarily, it moves necessarily. The First Cause moves necessarily (so you say), and no secondary cause moves except insofar as it is moved. Therefore, every secondary cause moves and causes necessarily.

34 (2) follows, because the First Cause moves and causes naturally prior to a secondary cause, so if it causes necessarily and perfectly in that prior instant, it follows that it cannot not produce the effect, and thus a secondary cause cannot cause anything in the subsequent instant unless one and the same thing is caused twice, which is unintelligible.

35 (3) also follows, because there is nothing bad in things except because of a lack of some due perfection that can be possessed either by the whole universe or by a particular being. So if God caused necessarily, then given that he is a supremely perfect agent and the First Agent, he would cause in each thing as much perfection as he could cause, and thus nothing would lack any perfection it could possibly have.

So since these conclusions are all false, it is clear that the divine will is related contingently to everything other than itself to which it is related immediately, and that the primary basis of contingency is found in the divine will. For if there were some other cause of contingency prior to the divine will, it would be the divine intellect; but the divine intellect can't be the primary basis of contingency, since the intellect and its act, as preceding the will and its act, is purely natural, and a contingent effect does not have its ultimate source in a purely natural cause (nor does the converse hold). Therefore, the divine will is the primary basis of contingency.

36 But there are two ways in which something can be said to be contingent by reason of its cause. For example, an act of my will has a twofold cause of its contingency: one on the part of the divine will as First Cause, and another on the part of my will as secondary cause. Other things are contingent only by reason of the First Cause, and necessary insofar as they are from their secondary and proximate cause. Things that can be impeded by the divine will are like this: for example, the coming-about of

natural things from their causes. A third division—namely, something contingent by reason of its secondary cause but necessary by reason of the First Cause—is impossible, as I explained and proved above [n. 13]. A fourth division—namely, something that is contingent but not by reason of the First Cause or by reason of its secondary cause—is also impossible.

Having found the cause of contingency, we can say that things other [than God] are 37
moved contingently both on their own part and on the part of the First Cause, of which they are contingent effects. Hence, contingency in us, that is, in the will, derives both from our will itself and from God, whereas in some other things there is necessity from the thing itself but contingency on God's part. But in all effects there is unqualified contingency with respect to the First Cause, on which all causes, both necessary and contingent, depend. By contrast, the necessity found in things and in all effects is not unqualified necessity, but only necessity in a certain respect. For some effects—all natural effects—are necessary in relation to their proximate causes; and there is no necessity at all, but only contingency, in all effects or things willed by us, as such.

III. The divine will as first cause of contingency

A. Scotus's view

Now that we have seen how the divine will is the first cause of contingency, and 38
consequently how our own will is a secondary cause, we need to see how the divine will can be the first cause of contingency in all effects, given that both the divine will itself and its effect are invariable.

My view is this. If we take whatever is a matter of perfection in our will with respect to its acts and eliminate whatever is a matter of imperfection, and then attribute the perfections characteristic of the human will to the divine will, the answer to the question at hand is clear straightaway. For our will is indifferent, and related contingently, to diverse acts, and through those diverse acts it is also indifferent to diverse objects and to a plurality of effects. The first indifference is a matter of imperfection, but the second is a matter of perfection and should therefore be ascribed to God.

Therefore, indifference to [a plurality of] effects is not the first indifference, because there is another indifference [namely, indifference to diverse objects] that is prior to it with respect to what is willed or not willed. Nor is indifference with respect to diverse acts the first indifference, because such indifference in a will is a receptive power with respect to acts, and similarly for an act that concerns only one object. So let us remove these matters of imperfection from the divine will, which is not indifferent to [diverse] acts through which it has to do with diverse objects—for

in us this [capacity for diverse acts] is a matter of imperfection. Instead, the act of the divine will is one and simple and indifferent to diverse objects. Nonetheless, it has its first act necessarily; but through that act it is related contingently to other things.[5] Thus, the divine will, as formally actually willing, is not indifferent to opposite acts; rather, it is indifferent [to diverse objects] through one act, because that act is unlimited and infinite. Hence, it is on account of its unlimitedness that it can indifferently will *a* or not will *a* by a single simple act, whereas I [can will *a* and can not will *a*] by multiple acts, because in us willing and willing-against with respect to the same object are diverse acts.

39 There is another respect in which our will is like the divine will. There are two ways in which something can be understood to be a power for opposites: either it is a power for opposites simultaneously, at the same instant of time, or it is a power for opposites successively, at different moments.

40 A power for opposites successively—that is, a power for being changed from one thing to another, as we see clearly in the case of transmutations—exists only in mutable things. Our will is the other kind of power for opposites: it is related indifferently to each of a pair of opposites at a single instant—taken separately, of course, not together, because that would imply a contradiction.[6]

41 Proof that our will is such a power for opposites: it is obvious that our will is a power for opposites in the first sense, that is, a power for opposites successively.

42 Proof that our will is also a power for opposites in the second way, that is, to each of a pair of opposites at a single instant, taken separately: in the very instant in which a cause causes, it causes either necessarily or contingently. Hence, just as a being or an effect (when the effect is a being) is either necessary or contingent, so too the cause, when it causes, causes either necessarily or contingently. Now our will, in the instant in which it elicits willing, or (in other words) causes, wills contingently; and in that very instant in which it is the cause of that willing, it could will the opposite. Otherwise, it would be causing necessarily in that instant.

43 This is the way in which there is a power for opposites in the divine will. For God cannot will anything otherwise than in eternity or (in other words) in a single instant of eternity; and through that one willing, in that one instant, he is contingently the cause of *a*. By way of analogy, if my will existed for only one instant of time, it would contingently elicit an act of willing in that instant—and it could attain merit [by so willing]—not because it existed in some prior instant, but because it freely and contingently elicits such an act of willing. So too in the case of the divine will, in

[5] Alternatively, conjecturing *obiectum* for *actum*: "Nonetheless, it is related necessarily to its first object, but it is related contingently to other things through its first object."

[6] That is, at the same time I have both the power to will *a* and the power not to will *a*; I do not have the power both to will *a* and not to will *a* at the same time.

that instant of eternity in which it produces *a*, *a* can not exist; otherwise it would follow that when the divine will is the cause of *a*, *a* would exist necessarily.

But what is this power? I say that the power does not precede its act in terms of duration, for if it did, it would be mutable. Rather, the power is naturally prior to its contingent act. Therefore, naturally—not durationally—prior to its act, the will is compatible with the opposite of that act. 44

B. Objections to Scotus's view

Against this I raise the objection that "everything that is, when it is, necessarily is."[7] Therefore, if, in that instant of eternity, God wills something, he wills it necessarily, because his willing exists when he wills. Therefore, etc. 45

Also, if in that instant he wills *a* and in that very same instant he can not will *a*, it follows that in one and the same instant—simultaneously, in other words—he can will two opposites, which is impossible. 46

Also, this power by which God can will exists either along with its act or prior to its act. If the power exists along with its act, then it is in God necessarily; therefore, in the very instant in which he can simultaneously will *a* and will-against *a*, according to you, he wills that opposites exist simultaneously, which is impossible. If, on the other hand, the power exists prior to its act, then it is possible for the act to follow the power in terms of duration; and consequently such a power cannot will something else—in other words, the opposite of what it in fact wills—*in the very moment in which it precedes the act*, contrary to what you claim. 47

Also, granted that the false alternative is impossible in that very same instant,[8] it must be determinately true that that alternative maintained to be false in the time in which it is impossible is not in fact false in that instant. For the following should be taken as a rule: if it were false in that instant, then it is not possible, and therefore it should be denied; for it can become true only through some motion or change [and therefore is not possibly true *in that instant*]. 48

C. Scotus's response to the objections

To the first objection [n. 45] I say that the proposition "everything that is, when it is, necessarily is" can be either categorical (or temporal) or hypothetical. If it is categorical, then the expression "when it is" does not qualify the whole statement but only "is." In that case, the sense of the proposition "everything that is, when it is, necessarily is" is "every being, when it is, is necessary or exists necessarily." If, on the other hand, it is hypothetical, then the expression "when it is" is a qualification that modifies the whole statement or predication, and the sense is this: "For every being, 49

[7] Aristotle, *De interpretatione* c. 9 (19a22–4).
[8] That is, granted that it is not possible for not-*a* to exist in the very instant in which God wills *a*.

necessarily, when it exists, it exists."[9] So if from this proposition you draw an inference applicable to the present issue, you are committing the fallacy of inferring an unqualified statement from a qualified one.

50 So the Philosopher did not intend this proposition to be understood as meaning "everything that exists exists necessarily in the moment in which it exists." The qualification "when it exists" is a determination that takes away.[10] For that reason, from the fact that a predicate is predicated of a subject with a determination that takes away, one cannot infer that the predicate is predicated of that subject without that determination, or in an unqualified sense; for it is not licit to infer an unqualified predication from a qualified one.[11] Thus, this does not follow: "Necessarily, if a human being runs, an animal runs; therefore, necessarily, an animal runs."

51 As for the second objection [n. 46], to the claim that if the power is conjoined with the act, it can will opposites simultaneously, I say that when two items are in relation to some third item, it never follows that they both have that relation to it simultaneously unless they are compatible with each other in relation to that item. Otherwise, one could evidently infer [the possibility of] items taken jointly from [the possibility of] items taken separately.

52 For example, from "This body can be in this place, and likewise another body can be in that same place" it does not follow that "therefore, two bodies can be in the same place at the same time," for it is not possible for the two bodies to have that relation to the third item[12] at the same time. Another example: when each of a number of items taken separately is within the scope of a power, it does not follow that they are within the scope of that power when taken together. For example, from "I can carry one stone at *t* and I can carry that other stone at *t*," it does not follow that "therefore, I can carry the two stones simultaneously."

53 Likewise in the present case: the inference from "I can will *a* at *t* and I can will-against *a* at *t*" to "therefore, I can will *a* and will-against *a* simultaneously" is not valid. For my power to will *a* is such that *if I should so will*, I cannot not will *a*; yet I can will

[9] Translating word for word, this would be "Every being exists necessarily when it exists." But in English that formulation remains—at best—ambiguous between *de re* and *de dicto* modality; indeed, it is more naturally read as expressing a *de re* modality ("For all *x*, when *x* exists, *x* exists necessarily"), rather than the *de dicto* modality that Scotus intends to express ("For all *x*, necessarily, when *x* exists, *x* exists"). A "literal" translation would therefore be a *mis*translation. Accordingly, I have translated this and subsequent modal expressions according to our contemporary conventions regarding the syntax of modal expressions, not according to Scotus's syntax.

[10] For a discussion of determinations that "take away" (*distrahere*), see Walter Burley, *Treatise on the Purity of the Art of Logic*, The Shorter Treatise, Rule 9, 111, trans. Paul Vincent Spade (New Haven: Yale University Press, 2000), 25.

[11] More literally, "from 'in a qualified sense' (*secundum quid*) it is not licit to infer 'in an unqualified sense' (*simpliciter*)."

[12] That is, the relation of *being present in* to that place.

both, taken separately. And so I can never will both simultaneously, because willing one alternative rules out willing the other.

As for the third objection [n. 47], to the claim that the power exists either along with its act or prior to its act, I say that when one thing is naturally, not durationally, prior to another, it can coexist with the opposite of what is [naturally] posterior to it (though not posterior in terms of duration). Hence, what is naturally prior can coexist with the opposite of what is naturally posterior; but because it is not durationally prior, it cannot exist simultaneously, in terms of duration, with the opposite of what is [naturally] posterior. 54

So to the form of the argument I say that this power neither exists along with its act nor is durationally prior to its act; it is merely *naturally* prior to its act, or (in other words) precedes its act by a priority of nature. Just as my will wills its effect contingently and brings it into being contingently, in such a way that in the very same instant it has the power [to will and bring into being] the opposite of that effect, in the way that I have explained, so too the divine will determines itself to *x* in this instant in such a way that it could determine itself to the opposite of *x* in that same instant. 55

As to the fourth objection [n. 48], to the claim that "granted that the false alternative is impossible," etc., I say that the rule is false if taken in an unqualified sense. For when certain items are possible without one opposite's succeeding another, the other opposite is possibly true in virtue of the power of its naturally prior cause, by which it can be made true. Thus, if there were only one instant of time, and in that instant everyone was engaged in disputation, I say that in the very same instant it is possible for them not to be engaged in disputation, so that in one and the same instant each alternative, taken separately, could be true and its opposite false. If, by contrast, the possibility requires that one opposite succeed another—for example, through motion or change—I say that the fact that the opposite cannot be made true [at the same time] arises from the particular kind of possibility under discussion, not from the nature of possibility itself.[13] Accordingly, that rule is false if taken in an unqualified sense. 56

IV. How certain propositions are to be understood

As for the fourth main topic, how certain propositions that arise in this discussion are to be understood, I say that the proposition "something willing *a* can not will *a*" must be distinguished in terms of the divided sense and the composed sense. There is one sense, the divided sense—"my will, which is now willing *a*, can successively will the opposite"—that is manifestly true. Another sense, the composed sense—"[possibly,] 57

[13] This is a very expansive translation of *dico quod hoc accidit gratia materiae quod suum oppositum non potest verificari*, more literally, "I say that the fact that the opposite cannot be made true is accidental by reason of the matter."

what is willing *a* is simultaneously willing-against *a*"—is manifestly false, for it says that what is in fact impossible is possible.

58 There is yet another sense that is not manifest: "my will, which is willing *a* now can not will *a*."[14] This proposition too must be distinguished in terms of the divided sense and the composed sense. One sense is this: "my will[, which is willing *a* now,] can not will *a* now"; this reading conjoins both actively willing *a* and actively not willing *a* with 'now' and states that this conjoining is possible. If the proposition is understood in this way, I say that it is impossible, since this composed sense predicates an opposite of its opposite. But there is another sense, the divided sense: "my will wills *a* now, and it is possibly true of my will that it does not will *a* now." Understood in that way, the proposition is true. Accordingly the Master[15] is right to insist that these propositions be distinguished and understood in terms of the composed and divided sense.

59 Here's an example: "every human being who is white runs." If my words 'who is white' modify 'human being,' the sense is "every white human being runs," and that would be true in the composed sense, even granting that black people run too. But another way to understand it is that 'who is white' does not delimit the subject of the main clause but instead is a copulative proposition that predicates [running] virtually of everyone included in the scope of the word 'who.' If the proposition is understood in this way, there are two categorical propositions: one is "every human being runs" and the second is "everyone who is white runs." Similarly, taken in the divided sense, "my will, which is willing *a* now, can not will *a* now" (and likewise "my will[, which] does not will *a* now[, can will *a* now]") includes two categorical propositions: one proposition expresses the factual claim that one of the opposites is actually true of a subject, and the other expresses the modal claim that the other opposite is possibly true of that same subject.[16] So understood, the proposition says of my will both that it in fact does not will *a* and that, if not determined by that willing, that very same will of mine can will *a*. So when that modal claim is understood as included, it signifies, as the Master says,[17] no more than this: in the very same instant in which one opposite is actually present, the other opposite is possibly present, in such a way that a power that is really one and the same is not [necessarily] determined to the opposite that is actually present, but only contingently so, and the other opposite can be present in it.

[14] The ambiguity in the Latin is represented in English by the absence of a comma after the 'which' clause. If the comma is placed after '*a*,' we have the composed sense; if the comma is placed after 'now,' we have the divided sense. (Note that there is no punctuation to speak of in the manuscripts.)

[15] Peter Lombard, *Sent*. I d. 38 c. 2 n. 2; d. 49 c. 1 nn. 3–5.

[16] Thus, in the divided sense, "my will, which is willing *a*, can not will *a* now" is understood as "my will is willing *a* now, and it is possible for my will not to will *a* now." Scotus, oddly, goes on to state instead the divided sense of "my will, which does not now will *a*, can will *a* now."

[17] Peter Lombard, *Sent*. I d. 38 c. 2 n. 2.

10

Ordinatio I, d. 44, q. un.

"Can God make things otherwise than as it is well-ordered for him to make them?"

Concerning distinction 44, in which the Master discusses whether God was able to make things better than he in fact made them, I ask this question: can God make things otherwise than as it is well-ordered for him to make them? 1

It seems that he cannot:

If he could, he could make things in a disordered way. The consequent is false; therefore, the antecedent is also false.

On the contrary: 2

For things to be made otherwise than as they were made does not involve a contradiction; nor is the universe necessary. Therefore, etc.

I. Reply to the question

I reply: In the case of any agent that acts through will and intellect and has the power to act in conformity with a correct law, and yet does not necessarily act in conformity with a correct law, one must distinguish ordered power from absolute power. The reason for this is that such an agent can act in conformity with that correct law, and in that case the agent acts according to ordered power (it is ordered power insofar as it is a principle of carrying out certain things in conformity with a correct law[1]), and can also act outside that law or contrary to it, and in this there is absolute power, which goes beyond ordered power. And so not just in God's case, but in the case of any free agent that can act both in accordance with the dictate of a correct law and outside or contrary to such a law, one must distinguish between ordered and absolute power. This is why the jurists[2] say that one can do something either de facto—that is, by one's absolute power—or de iure—that is, by one's ordered power, in accordance with the laws. 3

[1] Many MSS add "in accordance with the order pre-established by that law," a phrase that (unlike the shorter reading in the edition) actually explains why this power should be called "ordered."

[2] *Decretales Gregorii IX* lib. 1 tit. 3 c. 13, and the *Gloss* on that text.

4 But when the correct law according to which the agent ought to act ordinately is not in the agent's power, he cannot go beyond his ordered power regarding any objects without acting inordinately regarding those objects. For it is necessary (as far as such an agent is concerned) that that law remain in effect and that an action not in conformity with that correct law is neither correct nor well-ordered, since such an agent is bound to act according to that rule to which he is subject. Hence, all who are subject to the divine law act inordinately if they do not act according to the divine law.

5 By contrast, when the law and the correctness of the law are in the agent's power, such that the law is correct only because that agent has established it, the agent in virtue of his freedom can order things otherwise than as that correct law dictates; and yet in doing so he can act ordinately, because he can establish another correct law according to which he is acting ordinately. Nor in that case does his absolute power unqualifiedly go beyond his ordered power, because it would be ordered power according to the other law, just as it was according to the prior law; but it does go beyond his ordered power strictly according to the prior law, against which and beyond which he acts. One could give an example of this involving a prince, his subjects, and positive law.

6 Applying this to the question at hand, I say that some general laws that dictate correctly are pre-established by the divine will, and not indeed by the divine intellect as it precedes an act of the divine will, as was said in distinction 38 [nn. 5–6, 9–10]. Rather, when the intellect presents such a law—for example, "Everyone who is to be glorified will first be given grace"—to the divine will, if it pleases his will, which is free, the law is correct; and so on for other laws.

7 Therefore, we say that God acts according to his ordered power insofar as he has the power to act in accordance with those correct laws as pre-established by him, whereas we speak of his absolute power insofar as he has the power to do many things that are not in accordance with those pre-established laws, but instead outside them. For because God can do anything that does not involve a contradiction, and can act in any way that does not involve a contradiction (and there are many such ways other than [the way he in fact acts]), when he does so, he is said to act according to his absolute power.

8 Accordingly, I say that there are many other things he can do ordinately; and when the correctness of the law according to which someone is said to act rightly and ordinately is in the power of the agent himself, there is no contradiction involved in the claim that many things other than those that are made in conformity with these laws can be made ordinately. Therefore, just as he can act otherwise, so also can he establish a different law;[3] and if that law were established by God, it would be correct,

[3] "a different law": *aliam legem* (IΣ). The edition follows most MSS in reading *aliam legem rectam*, "a different, correct, law," but 'correct' pre-empts the argument of the rest of the sentence and therefore seems out of place.

because no law is correct except insofar as it is established by the divine will's acceptance. And so his absolute power for something does not extend to anything beyond what would be done ordinately if it were done: it would not of course be done ordinately according to this order, but it would be done ordinately according to another order, an order that the divine will could in fact establish, just as it can act [in accordance with such an order].

It is also important to note that there are two ways in which something can be ordinate and be done ordinately. One way is according to a universal order, that is, as prescribed by a general law: for example, according to a general law it is ordinate that everyone who is a sinner to the end is to be damned (as a king might establish a law that every murderer must die). The second way is according to a particular order, that is, according to this particular judgment to which the law taken universally does not extend. For a law concerns universal cases, whereas what concerns a particular case is not a law but a judgment according to the law, which is a conclusion from the law[4] (for example, that this murderer must die[5]). 9

I therefore say that God not only can act otherwise than as is ordinate according to a particular order but also can act otherwise than as is ordinate according to a universal order—in other words, [otherwise than] as accords with laws of justice—because both things that are outside that order and things that are contrary to it can be done ordinately by God through his absolute power. 10

By contrast, we speak of God's ordered power only with reference to an order that consists in a universal law, not with reference to an order that consists in a correct law about some particular. This is evident from the fact that it is possible for God to save someone whom he does not save, someone who nonetheless ultimately dies in a state of sin and is damned. Now this is not to concede that God can save Judas, who is already damned (not even that is impossible in terms of God's absolute power, since it does not involve a contradiction); therefore, God's saving Judas is impossible in the same way in which God's saving this person [whom he will not in fact save] is possible: therefore, by his ordered power God can save this person (which is true) but not Judas—not, indeed, according to some particular order (which, as it were, encompasses only this one particular possible action) but according to a universal order, in that if God did save this person, his doing so would be consistent with correct laws (laws that he had truly set up beforehand) concerning the salvation and damnation of individuals. For it would be consistent with the law that one who is wicked to the end will be damned, which is the law set up beforehand concerning those who are to be damned, since this person is not yet a sinner to the end; instead, he can be not a sinner, especially while he is still in this present life, because God by 11

[4] "which is a conclusion from the law": reading *quod est conclusio legis* for the edition's *eius quod est contra legem* (A), "of that which is contrary to the law."

[5] Many of the best MSS omit this and the previous parenthetical phrase.

his grace can prevent him from being a sinner.[6] Analogously, if a king prevents someone from committing a murder, he does not act contrary to his universal law concerning murderers if he does not condemn that person. But it would not be consistent with that particular law if God were to save Judas. For God can foreknow that Judas is to be saved by his ordered power, though according to some other order, because he set things up in that way according to some order that was then possible; according to the actual order, of course, he cannot do so by his ordered power, but only by his absolute power.

12 As for how the divine will has power with respect to particulars and with respect to establishing correct laws, but not by willing the opposite of what he wills now, that was explained above, in distinction 39.[7]

II. Replies to the preliminary arguments

13 In reply to the argument [for the negative, n. 1], it is clear that the inference is not valid, since if God had made things in some way other than as it is now well-ordered for him to make them, that would not mean that he was making them in a disordered way. For if he established other laws and made those things in accordance with those laws, those things would be made ordinately precisely because of that fact.

14 In reply to the argument for the affirmative [n. 2], I concede what it proves concerning God's absolute power. Still, if God's absolute power were to be the principle of anything, it would by that very fact be his ordered power—but not according to the order he had established beforehand, the same order that he had before.[8]

[6] Literally, God can "go before him with his grace." The reference of course is to "prevenient grace," but I have translated *praevenire* as 'prevent' to preserve the parallel in the next sentence. Cf. the Collect for the Seventeenth Sunday after Trinity in the English Prayer Books: "Lord, we pray thee that thy grace may always prevent and follow us, and make us continually be given to all good works"; the word 'prevent' having long ago lost that sense in English, modern-language versions substitute 'precede.'

[7] See *Reportatio* IA dd. 39–40 qq. 1–3 nn. 57–9.

[8] Less elliptically: it would be his ordered power, not because it would accord with the original order he had established, but because it would accord with a different order that he would have established, as he retains the power to do.

11

Ordinatio I, d. 47, q. un.

"Is divine permission an act of the divine will?"

Concerning distinction 47 I ask whether divine permission is an act of the divine will. 1

For the affirmative:

Otherwise, it seems that God could not know with certainty that a given person is going to sin, since he does not know a future contingent apart from the determination of his own will; but it does not appear that God has any act concerning a sinner except permitting him to sin (for he has neither a willing nor a willing-against with respect to the sinner); so if permitting is not an act, God will not be certain about that person's future sin, since there will be no determination of his will so as to allow him to know that future contingent with certainty.

On the contrary: 2

Permission is listed with the other expressions of the divine will.[1] Now command is not an elicited act of the divine will; therefore, *a fortiori*, neither is permission.

I. Reply to the question

I reply: 3

In us one can distinguish two kinds of acts of will: willing and willing-against. Both are positive acts, and if they concern the same object, they are contrary acts, which we also express by different words: namely, loving and hating.

And both of these in us can be further distinguished. Willing can be either efficacious or restrained. We call willing efficacious when the will is not just pleased with the thing willed but immediately brings it about, if it can; and in the same way we call willing-against efficacious when the one who wills-against something does not merely hinder it but, if he can, completely destroys it. A restrained willing is one in which the thing willed is pleasing, and yet the will does not bring it about, even though it could; a restrained willing-against is one in which the thing willed-against is displeasing, but the will does not prohibit it from existing, even though it could. 4

[1] The expressions (*signa*) of the divine will are prohibition, command, counsel, operation, and permission. See Thomas Aquinas, *ST* I q. 19 a. 12.

5 So in us restrained willing-against, properly so called, is evidently the permission of some evil that I know about. After all, I am not said to permit something about which I know nothing, or something that is done by someone else that pleases me; rather, I am said to permit some bad thing, done by someone else, that I know about, and that I do not prohibit.

6 The expression of an efficacious willing, if it is done directly by the will, is the carrying out of an act; if it is done by another, it is a command. The expression of a restrained willing-against, in us, is perhaps counsel, or else persuasion or (in other words) admonition. The expression of a restrained willing-against is permission or dissuasion, and the expression of efficacious willing-against is prohibition.

7 Now this distinction could be applied in God's case as well. Thus, just as his one act is both a willing and a willing-against—and this without any contrariety or dissimilarity in that act in itself—so too it can be said that with respect to some of the objects willed in that act his willing is efficacious, and likewise that his willing-against with respect to some objects is efficacious; but with respect to others, it is not. And then it could be said that God's willing-against objects that he wills-against but does not will to prohibit is a restrained willing-against; and this willing-against on God's part can be called his permission, and thus it is an act in God insofar as his will goes forth over an object that is related in this way to the divine will.[2]

8 But if this is not acceptable because God's willing-against anything that actually exists would seem to involve some sadness on God's part as well as an imperfection in his willing and in his will, then it can be said that permission as something external to God, or as expression, is what has been brought about but is contrary to divine command; and this is the permission that is the expression of the divine will. But there is nothing in the divine will itself that corresponds to this except God's not willing to prohibit something from being done, in other words, God's not willing-against it; and that is a negation of a positive divine act, and consequently not a positive act.

9 And as for what is called "willing to allow,"[3] this can be understood not as God's having a direct willing concerning what he permits, but rather as a reflexive act. For *this person will sin* or *this person sins* is presented[4] to the divine will. First his will has no willing with respect to this (for God cannot will that this person sin); second, he can understand his will's not willing this, and then he can will his will's not willing this. And that is what is meant by saying that God wills to allow and voluntarily allows, that he wills to permit and voluntarily permits. Similarly, in the case of

[2] Reading *et ita est in Deo actus in quantum transit super obiectum sic se habens ad voluntatem* (Σ) for the edition's *et ita actus in Deo, in quantum transit super obiectum, sic se habet ad voluntatem divinam*.

[3] Cf. *Reportatio* IA d. 47 nn. 7–8.

[4] Reading *offertur* with the overwhelming majority of MSS against the edition's *offert* (AR).

Judas, when Judas is presented to the divine will, first God has a not-willing of glory for Judas—not, at first, a willing-against, according to the final position in distinction 41[5]—and then, second, he can reflect on that negation of an act and will it. And thus what God willingly or voluntarily chooses is not that Judas will be a sinner to the end, or a willing-against glory for Judas, but rather his not-willing of glory for Judas.

II. Reply to the preliminary argument

In reply to the first argument [n. 1], I explained in distinction 41[6] how God does not foresee future sin solely in virtue of knowing that he will permit a person to remain a sinner to the end, and thus the person will be ultimately worthy of damnation; in addition, he must know that he will cooperate with this person in an act of sinning and will not cooperate with an act whose omission is a sin of omission. Nonetheless, concomitant with either of these permissions is God's foreseeing that he will not will that this person sin. And thus it is clear in what way divine permission is an act of will and in what way it isn't.

[5] Cf. I d. 41 n. 45. [6] Cf. I d. 41 n. 50.

12

Ordinatio I, d. 48, q. un.

"Is a created will morally good whenever it is in conformity with the uncreated will?"

1 Concerning distinction 48 I ask whether the human will—or, more generally, whether a created will—is morally good whenever it is in conformity with the uncreated will.

For the affirmative:

There is truth in a created intellect whenever it is in conformity with the uncreated intellect. Therefore, by analogy, a created will is good when it is in conformity with the uncreated will.

2 On the contrary:

The Jews willed that Christ suffer and die, which Christ also willed. And yet they sinned: "Forgive them, Father," he said, "for they know not what they do."[1] Therefore, etc.

I. Reply to the question

3 I reply:

According to Dionysius, *On the Divine Names*, chapter 4 [§ 30], good is from a complete cause; and according to the Philosopher, *Ethics* II [1104b24–28], all the circumstances must concur at the same time in any given moral act in order for it to be morally good, whereas a defect in any one circumstance suffices for the act to be morally bad.

4 Therefore, a created will in conformity with the divine will as to the substance of the act, whether as to the substance as characterized by some one circumstance, or in conformity with the divine will in all the circumstances relevant to moral goodness (and perhaps if it were in conformity with the divine will in all the circumstances, for example, if it willed for the same reason and in the same way, and so on for all the other circumstances), might still not be good, as the uncreated will is good. For the

[1] Luke 23:34.

same circumstances are not fitting for an act as that act proceeds from different agents. After all, it is not fitting for a created will to will something good as intensely as it is fitting for the uncreated will to will it, and the intensity of an act with respect to an object is a great difference between a created agent and the uncreated agent. And, at any rate, whatever may be the case regarding conformity of the created will to the uncreated will in all the circumstances, conformity with respect to the goodness of the act and the object is not sufficient, because there can be a lack of conformity in other circumstances that are necessarily required for the goodness of an act of will.

II. Reply to the preliminary argument

To the argument for the affirmative [n. 1], I say that the cases are not analogous. Truth in the intellect depends solely on the object: if the object is as it is understood, the intellect is true. The goodness of the will, by contrast, does not depend solely on the object, but on all the other circumstances, and especially on the end. Hence it is important to note that every volition of ours is ordered especially to the ultimate end, who is "Alpha and Omega, beginning and end,"[2] to whom be "honor and glory for ever and ever."[3]

[2] Revelation 1:8. [3] Romans 16:27.

13

Ordinatio II, d. 6, q. 1

"Was the evil angel able to desire equality with God?"

1 Concerning distinction 6 I ask whether the bad angel was able to desire equality with God.

2 For the negative:

An intellect does not err in understanding the supreme truth; therefore, neither does a will sin in loving the supreme good. Therefore, one desiring equality with God would not sin. Therefore, an angel's first sinful act could not have been an act of desiring equality with God.

3 The Master argues for the affirmative in the text.[1]

I. Reply to the question

A. The view of others

4 One view[2] is that the angel could not desire equality with God.

5 There are evidently four arguments for this:

First,[3] the angel did not sin from passion, obviously. Nor did he sin from ignorance, because before his fault there was no punishment. Therefore, he sinned from choice. But "there is no choice of what is impossible," as we read in *Ethics* III [1111b20–3], and it is impossible for an angel to be equal to God. Therefore, the angel did not sin by desiring equality with God.

6 Second,[4] for an angel to be equal to God involves a contradiction. Therefore, it has no being of any kind. So it is not included in any way in the first object of the will, and therefore it cannot in any way be willed.

[1] Peter Lombard, *Sent.* II d. 6 c. 1 n. 3.
[2] Thomas Aquinas, *Sent.* II d. 5 q. 1 a. 2 in corp., *De malo* q. 16 a. 3 in corp., *ST* I q. 63 a. 3 in corp.
[3] Thomas Aquinas, *Sent.* II d. 5 q. 1 a. 2 arg. 3 and in corp., *De malo* q. 16 a. 3 arg. 9, *ST* I q. 63 a. 3 arg. 3.
[4] Thomas Aquinas, *De malo* q. 16 a. 3 arg. 7, *Sent.* II d. 5 q. 1 a. 2 arg. 2, *ST* I q. 63 a. 3 arg. 1.

Third,[5] the will cannot will anything that has not first been understood. So an angel's being equal to God had to be understood first, or presented beforehand by the intellect. So it was presented either by an erring intellect, in which case there was punishment before any fault, or else by an intellect that was not erring, which is impossible, because an intellect that is not erring cannot present something that involves a contradiction. 7

Fourth,[6] an angel's being equal to God involves the angel's not existing, because an angel can't be an angel without being inferior to God. And no one can desire his own non-existence, according to Augustine, *On Free Choice of the Will* III.6.63–8.84. Therefore, no one inferior to God can desire equality with God. 8

B. Scotus's view

But since these arguments are not compelling, a different response to the question can be given, namely that the angel could desire equality with God. 9

A persuasive case can be made for this: 10

First, the will has a twofold act: an act of loving with friendship-love and an act of desiring something for the one loved. With regard to both acts it has the whole of being for its object; thus, just as someone can love any being with friendship-love, so too he can desire any being for the one loved. Therefore, the angel could love himself with friendship-love, and he could also desire for himself any desirable good; and so since equality with God is a good, one desirable in its own right, the angel could desire that good for himself.

Furthermore, if equality with God were possible for the angel, he could desire it for himself. That's quite clear. But its impossibility does not prevent the angel from being able to will it, because there can be willing of impossible things, according to the Philosopher in *Ethics* III [1111b22–3] and Damascene, chapter 38.[7] 11

This is also proved from the fact that the damned hate God, since, as the Psalm [73:23] says, "The pride of those who hated you goes up for ever." And someone who hates wills that the thing hated not exist, according to the Philosopher in *Rhetoric* II [1382a15]. Therefore, they will that God not exist. But this is altogether impossible in itself, and incompossible. Therefore, the impossibility of this object of desire does not mean that a sinning will cannot desire it. 12

Confirmation: a sinning will was able to will that God not exist and it was also able to will, along with this, that the grandeur[8] and eminence of God be in someone; so he was able to will that it be in himself just as he was able to will that it be in someone else, and thus he was able to will God's eminence for himself. 13

[5] Thomas Aquinas, *Sent*. II d. 5 q. 1 a. 2 in corp., *De malo* q. 16 a. 3 arg. 8.
[6] Thomas Aquinas, *Sent*. II d. 5 q. 1 a. 2 in corp., *ST* I q. 63 a. 3 in corp., *SCG* III c. 109.
[7] Damascene, *De fide orthodoxa* c. 36.
[8] "grandeur": *gradus*, that is, degree (of being).

C. Replies to the arguments for the view of others

14 Replies to the arguments for the first view:

To the first argument [n. 5] it can be said that 'choice' is used equivocally. It is used in one sense for an act of will that follows full apprehension on the part of the intellect. In this sense, we speak of "sinning from choice" when there is no passion disturbing the intellect and also no ignorance. It is used in another sense for an act of the will that follows the conclusion of a practical syllogism. Choice in this sense *just is* an efficacious volition of an object, a volition that is directed toward seeking some means by which the object can be attained. In the first sense there is choice of impossible things, as the Philosopher says in *Ethics* III that "there is will of impossible things"—and not merely an erring will, but a will that presupposes full apprehension on the part of the intellect. In the second sense there is no choice of impossible things, since no one makes practical syllogisms about impossible things. For a practical syllogism begins from the end and reaches a conclusion about what is for the end, so that the end may be attained through what is for the end, and no one ever engages in that sort of reasoning about something impossible.

15 Alternatively, one can put the point more straightforwardly. 'Choice' means either strictly "full acceptance" or "an efficacious volition that follows a practical syllogism." Choice in the first sense can be of anything, presupposing perfect knowledge of the object. Choice in the second sense can be only of that which the will works to bring about so far as it is able, since it wills nothing efficaciously unless it arranges means by which it can be attained; and this sort of efficacious volition is never of something impossible. For no one deliberates about impossible things or commands the practical intellect to investigate means of attaining something impossible. And this is how we should understand the Philosopher's statement that "There is no choice of impossible things." The angels did not sin "from choice" in this second sense, that is, from an efficacious volition by which they willed to try to achieve their purpose by fighting against God's eminence and plundering it for themselves. They could, however, sin "from choice" in the sense that they sinned, not from ignorance,[9] but from a perfect volition of equality with God.

16 One should use this distinction to answer the question [n. 1]: the angel was not able to desire equality with God by an efficacious volition, since that object is not presented as possible; but he was able to desire it by a simple volition (which extends even to impossible things), and in that simple volition there could be merit and demerit. The second set of arguments [nn. 10–13] is conclusive if this distinction is applied.

[9] *ex non surreptione*: literally, "from not deceit." *Surreptio* is the noun from the verb translated 'plundering' above. As a legal term it meant misrepresentation or suppression of facts in order to gain something. I take it that sinning "from not surreption" means sinning from a position of not being under a misapprehension of the facts (including the fact that equality with God is impossible)—sinning, one might say, "clear-eyed."

To the second argument [n. 6] I say that there are two sorts of intellection: absolute and comparative. There is an absolute intellection only of a simple object that falls within the object of the intellect. There can be a comparative or relational intellection with respect to anything, no matter whether the comparison is possible or impossible; for the intellect composes not only possible propositions but also impossible ones. In the same way, there is absolute volition, and that is only of a simple object that falls within the first willable object. And there is also comparative volition, which can compare any simple willable thing to any other, even if that comparison involves a contradiction. This complex [*that the angel be equal to God*] cannot be willed as a matter of absolute volition, because that is not something simple that includes within itself the character of the will's first object; rather, it is a certain relationship of a simple object to another object. Both of those simple objects are willable in their own right, for both what the angel wills and the one for whom the angel wills it are willable in their own right. So the claim that this whole does not include within itself the character of the will's first object [n. 6] is false if you're speaking of the parts of the whole: for both parts, the *what* and the *for whom*, include within themselves in their own right the object of the will. And that is all that's needed for the will to [be able to] will one part as ordered to the other. 17

To the third argument [n. 7] I say that a simple intellect can apprehend equality with God without error, and this simple apprehension is all that's needed for the appetite to desire this apprehended object for another. For example, if an intellect apprehends whiteness and apprehends a crow, the will can will that whiteness be in the crow. Now equality with God can be apprehended without error, since such equality exists in someone without error; for God the Son is equal to the Father, and he can be apprehended. For that matter, even if nothing were equal to God, equality could still be apprehended absolutely, and in that simple apprehension there is no error, no falsity. And yet that simple apprehension is all that's needed for a volition of that simple for any understood and loved object. 18

So then suppose you challenge this by asking, "Is this presented by an erring intellect or by one that is not erring?" I say, by one that is not erring, rather, by a simple intellect, which can neither err nor say something true. For those are characteristics of an intellect that composes and divides, and there is no need for an intellect to compose one thing with another, or divide one thing from another, before one desires[10] something. Rather, all that's needed is for the will to compare this thing with that, since the will is a power that relates one thing to another, just as the intellect is; and consequently the will can relate the simples presented to it in whatever way [it sees fit], just as the intellect can. 19

[10] Reading *appetere* (ASVBYOQ) for the edition's *apprehendere*.

20 To the fourth argument [n. 8] it could be said that the will could will its own non-existence consequently. For anyone who sins mortally wills something with respect to which he does not will to be subordinate to God, and thereby he wills his own non-existence consequently, since he cannot exist without being subordinate to God.

21 As to the form of the argument, it can be said that in a case in which the consequent is not intrinsically included in the understanding of the antecedent, one need not will the consequent even if one wills the antecedent. For example, someone can desire episcopacy without willing priesthood.[11] The argument for this is that knowledge of the consequent does not follow from knowledge of the antecedent unless one knows that the consequent follows from the antecedent; and in the same way, willing the consequent does not follow from willing the antecedent unless one wills the following of the consequent from the antecedent. For if one either does not know that the consequent follows from the antecedent or does not will this, one need not will the consequent just because one wills the antecedent. Now in the case at issue here, the consequent is not intrinsically included in the understanding of the antecedent; and even if it were, the relationship [between the antecedent and the consequent] would not automatically be known or willed. And thus the angel is able not to will the consequent.

22 To the argument from Anselm in *De similitudinibus* 60[12] I reply that one is not able to will to be Peter *ordinately*, for a will is not ordinate in willing something and willing-against what necessarily follows from it, whether what follows from it is intrinsic to it or not. But that need not be true of an inordinate will.

II. Reply to the preliminary argument

23 To the preliminary argument [n. 2] I say that an intellect understanding something that is not the supreme truth to be the supreme truth can err: for example, in understanding a rock to be the supreme truth. But it does not err in understanding the rock in itself by simple intellection, or in understanding by relational intellection something that appropriately characterizes the rock. In the same way, the will does not err in willing the first good by a simple complacent volition, or in willing the first good for something to which that good is suited. But that good is suited to God alone, and so by willing it for anything other than God, by a relational volition, it errs.

[11] Cf. *Ordinatio* I d. 1 n. 47.

[12] The argument (from Alexander of Canterbury's *De S. Anselmi similitudinibus* c. 64) is not given earlier. The passage reads as follows: "Even if you will to be equal in glory to St Peter, you will be; I say 'in glory' because you will not be able to will to be Peter in your own person. For if you were to will that, you would be willing that you be nothing, which you will not be able to will."

14

Ordinatio II, d. 6, q. 2

"Was the angel's first sin formally pride?"

Second, I ask whether the angel's first sin was formally pride. 24

Arguments for the affirmative: 25

Augustine, *City of God* XIV.13: "The beginning of an evil will: what could it be, other than pride?" And he proves this by referring to Scripture, Ecclesiasticus 10:13: "The beginning of all sin is pride." Likewise, in the same chapter: "We are taught in the sacred writings that it is the vice of self-exaltation in the devil that is damned above all else."

Furthermore, in 1 John 2:16 we read that "All that is in the world is either the lust of the eyes or the lust of the flesh [or the pride of life]." Now they did not sin by the lust of the eyes or the lust of the flesh; therefore, they sinned by the pride of life.[1] 26

Furthermore, there is an argument that proceeds by process of elimination. They could not have sinned initially through some willing-against; consequently, they could not have sinned initially through wrath or through avarice or something of that sort; the proof of the antecedent is that every willing-against presupposes a willing. Nor did they sin by any inordinate willing regarding temporal things, or by a sin of the flesh, because such things are not possible objects of desire for them. So by process of elimination, since the other possibilities have been ruled out, it follows that they sinned by the sin of pride.[2] 27

This is also evident from the passage in the Psalms [73:23], "The pride of those who hated you," etc. Now they sinned by one and only one sin (for otherwise their sin would have been curable), since they did not commit more than one sin at the same time, since the will (just like the intellect) cannot have two complete acts simultaneously.[3] Therefore, if they committed more than one sin, they committed first one sin and then another—which means that at that second instant they were able to repent 28

[1] Cf. Bonaventure, *Sent*. II d. 5 a. 1 q. 1 arg. 5, a. 2 q. 1 arg. 3.

[2] Cf. Alexander of Hales, *ST* II-II n. 91 arg. in opp. and ad 2; Bonaventure, *Sent*. II d. 5 a 1 q. 1 arg. 5–6; Thomas Aquinas, *ST* I q. 63 a. 2 ad 2; Richard Middleton, *Sent*. II d. 5 princ. 1 q. 1 in corp.

[3] Cf. Bonaventure, *Sent*. II d. 5 a. 1 q. 1 in corp.

(and accordingly they sinned after the first instant), a conclusion that is generally regarded as untenable, since the standard view is that their sin was incurable.[4]

29 Arguments for the negative:

Their sin was the greatest sin, for it was incurable. But pride is not the greatest sin, as is clear from the fact that its opposite, humility, is not the greatest good:[5] both because humility can be unformed, whereas charity cannot (and for that reason humility is less good),[6] and also because in terms of the moral virtues, humility is a kind of temperance,[7] and any sort of temperance is a less perfect virtue than friendship, which is the most perfect virtue under justice (*Ethics* VIII).[8] Therefore, etc.

30 Furthermore, pride dwells in the irascible appetite.[9] But no act of the irascible appetite can be first, since the job of the irascible appetite is to fight on behalf of the concupiscible appetite. That's why the passions of the irascible appetite arise from the passions of the concupiscible appetite.[10]

31 Furthermore, pride is evidently a desire for excellence, since as Augustine asks in *City of God* XIV.13, "What is pride but a desire for perverse loftiness?"[11] Now excellence consists in a relation to those things that one excels. But the devil did not first desire something in relation to others; instead, he desired something in itself before he desired it in relation to another. Nothing is with respect to another but what it first is with respect to itself; and in the same way, no one desires anything with reference to another except because he first desires it for himself. Consequently, he first desired it[12] for himself.

32 Moreover, it doesn't seem that the inferior demons desired a mastery that did not befit them, or that they consented to Lucifer's mastery, since it seems probable that

[4] Cf. Alexander of Hales, *ST* II-II n. 75 in corp. and n. 99 in corp.; Bonaventure, *Sent*. II d. 6 a. 2 q. 2 arg. 4, d. 7 pars 1 a. 1 q. 1 arg. 5 and in corp.; Thomas Aquinas, *Sent*. II d. 7 q. 1 a. 2 in corp., *ST* I q. 64 a. 2 in corp.; Richard Middleton, *Sent*. II d. 7 princ. 2 q. 1 arg. 1 in opp. and in corp.

[5] Cf. Thomas Aquinas, *ST* II-II q. 162 a. 6 arg. 2.

[6] Cf. ibid. q. 23 a. 7 in corp. and a. 8 in corp., q. 161 a. 5 arg. in opp.

[7] Cf. ibid. q. 161 a. 4 in corp.

[8] See *Nicomachean Ethics* V.3, 1129b29–30; VIII.1, 1155a1–2; VIII.4, 1156b7–10. See also *Ordinatio* III d. 34 q. un. n. 59.

[9] Cf. Thomas Aquinas, *ST* II-II q. 162 a. 3 arg. in opp. and in corp.

[10] Cf. Richard Middleton, *Sent*. II d. 5 princ. 1 q. 1 arg. 1. On the passions of the irascible and concupiscible appetites, see Alexander of Hales, *ST* I-II n. 162; Thomas Aquinas, *ST* I q. 59 a. 4 and q. 82 a. 5, II-II q. 162 a. 3, *De malo* q. 8 a. 3.

[11] Cf. Thomas Aquinas, *ST* II-II q. 162 a. 1 ad 2 and a. 2 in corp., *De malo* q. 8 a. 2 in corp.

[12] What is "it"? The Latin is feminine, and the only feminine noun in the neighborhood is "excellence" (*excellentia*), which is what the critical edition tells us is meant. But the whole drift of the argument seems to be that one can't desire excellence *first*, because excellence involves a comparison with something else. One manuscript reads "this greatness"—supplying a different feminine noun, *eminentia*, which is a less obviously comparative word than *excellentia*. In any event, though the exact word choice may be in doubt, the general purport of the argument seems perfectly clear. Scotus's response will depend on disambiguating *excellentia*: see in particular n. 69.

they preferred to be subordinate to God rather than to Lucifer. Therefore, their first sin was not pride.[13]

I. Reply to the question

The usual answer to the question is in the affirmative, on the strength of the 33
argument by process of elimination given earlier [n. 27]. But in order to get at the truth of the question, we must show, first, what the badness was in the first angel who sinned, and second, to what kind of sin that badness belongs.

A. What was the badness in the first angel who sinned?

1. CONCERNING ORDERED AND DISORDERED ACTS OF THE WILL

Regarding the first question, we must examine the order of the acts of the will. On 34
that point I hold that there are, at the most general level, two sorts of acts of will: willing and willing-against. For willing-against is a positive act of will by which it spurns what is unsuitable or draws back from an unsuitable object. Willing, by contrast, is an act by which the will accepts some suitable object. There are, further, two sorts of willing, which we can call friendship-willing and desire-willing: friendship-willing is the willing of an object for which I will good, and desire-willing is the willing of an object that I will for some other loved thing.

The order of these acts is clear: every willing-against presupposes some willing. After 35
all, the only reason I spurn something is that it is incompatible with something that I accept as suitable. This is what Anselm says in *On the Fall of the Devil* 3, giving his example of the miser, the coin, and the bread. And the order of the two willings is also clear, since desire presupposes friendship-willing. For since the thing loved is, with respect to the thing desired, like the end for which I will the good (since it is on account of the thing loved that I desire for it the good that I will for it), and since the end is the primary object of will, it is evident that friendship-willing precedes desire-willing.

And from what has been proved it follows, further, that there is a similar progression 36
in *disordered* acts of will. For no willing-against is the first disordered act of a will, since the will can have an act of willing-against only in virtue of some willing. And if that willing were well-ordered, accepting an object with the appropriate circumstances, then any willing-against that the will would have consequent upon that willing would likewise be well-ordered. In the same way, if a friendship-willing is well-ordered, the desire-willing consequent upon it will also be well-ordered. For if my love for the thing for which I will good is well-ordered, my desiring the good for that thing will also be well-ordered.

[13] Cf. Bonaventure, *Sent.* II d. 5 a. 2 q. 1 arg. 2 in opp.; Thomas Aquinas, *Sent.* II d. 6 q. 1 a. 2 arg. 2 and ad 2, *ST* I q. 63 a. 8 arg. 2 and ad 2.

2. THE FIRST DISORDERED FRIENDSHIP-WILLING

37 It follows, therefore, that the unqualifiedly first disordered act of will was the first friendship-willing of that for which the angel willed good. Now that object was not God, since the angel could not have had a friendship-love toward God that was disordered in terms of its intensity, since God is so much worthy of love that by his very nature alone, as an object, he makes an act of friendship-love directed to himself—even a perfectly intense one—completely good. Nor is it plausible that the angel loved something other than himself too intensely by an act of friendship, for three reasons: because his natural inclination inclined him to love himself more than it inclined him to love any other created thing, because it does not seem that he understood any other created thing in the way he understood himself, and because friendship is founded on oneness (*Ethics* VIII [1158a10–13]) and things that are worthy of love for the sake of another derive from those that are worthy of love for one's own sake (*Ethics* IX [1168b1–10]). Therefore, his first disordered act was an act of friendship toward himself.

38 This is what Augustine says in the last chapter of *City of God* XIV: "Two loves created two cities. Love of God, to the point of contempt for self, created the City of God; love of self, to the point of contempt for God, created the city of the devil." So the ultimate root of the city of the devil was his disordered friendship-love for himself, a root that grew into contempt for God, in which that wickedness reached its pinnacle. Thus it is clear what the unqualifiedly first disorder of the will was in the first disordered willing.

3. THE FIRST DISORDERED DESIRE-WILLING

39 We still need to determine what the first disorder was in his desire-willing.

40 *a. The desire for happiness* On that score, we evidently ought to say that he first desired happiness for himself immoderately. I argue for this as follows:

First, his first disordered desire did not proceed from the affection for justice, as indeed no sin proceeded from the affection for justice. Therefore, it proceeded from the affection for the advantageous, since every elicited act of the will is elicited either in accordance with the affection for justice or in accordance with the affection for the advantageous, according to Anselm. The maximal advantageous thing is maximally desired by a will that does not follow the rule of justice, and so such a thing will be desired by it first, since nothing regulates that non-upright will other than its disordered and immoderate desire for that maximal advantageous thing. Now the maximal advantageous thing is complete happiness. Therefore, etc. This argument is derived from Anselm, *On the Fall of the Devil* 4: look for it there.

41 Second, the first sin in desiring was a willing, since the only reason someone spurns something for himself (that is, takes care to avoid getting or experiencing something) is that he desires the opposite for himself. Now the angel's desire for that

thing was a case of love for the honorable, for the useful, or for the pleasant, since there is no love other than these three. It was not a case of love for the honorable, since if it had been, the angel would not have sinned. Nor was it a case of love for the useful, since that is not a first love; for since what is useful is useful *for* something, no one desires what is useful prior to desiring the thing that it's useful for. Therefore, he first sinned by loving something excessively as the supremely pleasant thing. Now the supremely pleasant thing is the honorable good, that is, happiness itself as such. Therefore, etc. This argument can be derived from the Philosopher, *Ethics* VIII [1155b18–21], and from the generally accepted distinction of the good as useful, pleasant, and honorable.

Third, there is a persuasive argument that goes like this: Every appetitive power 42
whose act is consequent upon an act of an apprehensive power desires first the delightful thing that is supremely suitable to its associated cognitive power—or else it desires delight in the desirable thing, since in such a desirable thing the appetite is most fully satisfied. This is evident in the case of the appetite that is consequent on the apprehension of the sense of taste or of hearing or of touch. For any such appetite desires the supremely perfect object of the apprehensive power whose act it follows in desiring. For that reason a will separated from all sensory appetite first desires that which is supremely suited to the intellect; that desire is consequent upon that thing's suitability—or else it first desires delight in such an object, and consequently it desires happiness, which includes that object and act and the resulting delight.

Fourth, there is a persuasive argument that goes like this: What is first desired by a 43
will not governed by justice is that which would be desired exclusively by the will if that object were the only object in existence, and apart from which nothing else is desired. Delight is such a thing. For if one were sad, one would not desire excellence or anything else; rather, one would desire delight or something like it.

So as to this second step, that is, as to the angel's sin [of desire],[14] it seems that the 44
angel first desired happiness. For just as the first sin of the visual appetite would be in desiring the most beautiful thing that is visible to its cognitive power, in which it would take the most complete delight and its desire would be fully satisfied, so also for a will conjoined to a sensory appetite, when that will does not follow justice or the rule of reason, its first object of desire is evidently something supremely delightful to that sensory appetite with which the will, in acting, is especially in conformity. So in human beings, which of the sensory appetites is in control varies with the variety of temperaments. If indeed each cognitive power has its own appetite, and the variety of temperaments results in different cognitive powers and their corresponding appetites being predominant in different people, then in any given person, I say, the will is

[14] The first step was the sin of inordinate friendship-love for himself; the second step is the sin of inordinate desire-love of his own happiness.

principally inclined to its act in accordance with the predominant sensory appetite. Therefore, one person who follows his first inclination apart from the rule of justice will be inclined first to lust, while another will be inclined first to pride, and another to something else.

45 Therefore, a will entirely separated from sensory appetite, and consequently not inclined to anything on account of sensory appetite, will, if it departs from justice, follow the absolute inclination of the will qua will. And that inclination is evidently toward the greatest object suited to the will or appetitive power, which is also the greatest perfection of the intellect or cognitive power. For that in which a cognitive power is most fully perfected is that in which the appetitive power corresponding to it is most fully perfected. Therefore, [the angel's first sin of desire] was an immoderate desire for happiness, since happiness is the object of the will.

46 Now you might argue against this view:

First, according to Augustine in *On the Trinity* XIII.5.8, "Happiness is desired by all." Now whatever exists uniformly in all is evidently natural. Therefore, happiness is naturally desired. Now natural desire is always correct, because it is from God. Therefore, a will consonant with natural desire is always correct, since what is consonant with something correct is itself correct. Therefore, no one sins in desiring happiness.

47 Furthermore, according to *Metaphysics* II [993b4–5], no intellect errs concerning first principles. Therefore, neither does the will err concerning the ultimate end. The inference is proved through the analogy drawn by the Philosopher in *Ethics* VII [1151a16–17] and *Physics* II [200a15–16]: "What a principle is in speculative matters, the end is in matters of action."

48 Furthermore, third: the good angels had an affection for the advantageous, just as the evil ones did. But according to Anselm in *De concordia* [q. 3 c. 13], "One cannot fail to will advantageous things." So the good angels willed the advantageous in just the same way that the evil angels did. Therefore, they all sinned equally if they sinned from the affection for the advantageous. Therefore, etc.

49 In order to make clear how these arguments are to be answered, I first distinguish what is meant by the affection for justice and the affection for the advantageous, of which Anselm speaks in *On the Fall of the Devil* 4.

Justice can be understood as infused justice, which is called gratuitous; or as acquired justice, which is called moral; or as innate justice, which is the will's freedom itself. Now imagine, in keeping with Anselm's thought-experiment in *On the Fall of the Devil*, that there is an angel who has only the affection for the advantageous and not the affection for justice—that is, an angel having intellectual appetite merely as such, and not as free. Such an angel would not be able not to will advantageous things, or even not to will them supremely. Nor would this willing be imputed to the angel as a sin, since that appetite would be related to its associated cognitive power as

the visual appetite is in fact related to vision: it would necessarily follow what is shown by its cognitive power and its own inclination to the best thing shown to it by that power, since it would not have the wherewithal to moderate itself. So that affection for justice, which is the first controller of the affection for the advantageous—both as to the fact that the will need not actually desire that to which the affection for the advantageous inclines it, and as to the fact that it need not desire it supremely (as much, that is, as the affection for the advantageous inclines it)—that affection for justice, I say, is the will's innate freedom, because it is the first controller of the affection for the advantageous.

Now Anselm frequently speaks not only of the act of acquired justice but also of the 50
act of infused justice; for he says that justice is lost through mortal sin, which is true only of infused justice. Nevertheless, in distinguishing the two primary features of these two affections—the one inclining the will above all to what is advantageous, and the other controlling it so that it need not follow that inclination in eliciting its act—he makes it clear that they are nothing other than the will insofar as it is intellectual appetite and the will insofar as it is free. For, as I have said, as strictly intellectual appetite it would be actually supremely inclined to the best intelligible thing, just as the visual appetite is supremely inclined to the best visible thing. But insofar as the will is free, it can moderate itself in eliciting its act so that it does not follow that inclination either as to the substance of the act, or as to the intensity, to which the power is naturally inclined.

Now suppose there were a strictly appetitive power[15] whose act followed upon the 51
inclination of its associated apprehensive power in the way that the visual appetite follows upon the inclination of the sense of sight and upon [actual] sight. Although that power would not be able to desire anything but what is intelligible (just as the visual appetite cannot desire anything but what is visible), it would nonetheless not be able to sin, because it would not have the power to desire any thing, or in any way, other than as its cognitive power directed and inclined it. But that very same power, once it is made free (because what that comes to is for a single thing to include virtually a plurality of perfective characteristics that it would not include if it lacked the characteristic of freedom)—that power itself, I say, is able, thanks to its freedom, to moderate itself in willing, even with respect to the willing to which its affection for the advantageous inclines it, even if its affection for the advantageous inclines it to the greatest possible degree to will the advantageous. And precisely because it is able to moderate itself, it is obligated to moderate itself so that it conforms to the rule of justice that it receives from a higher will. Accordingly, it is clear that a free will is not required to will happiness in every way in which a will that was merely intellective appetite, without freedom, would will it; instead, in eliciting its act a free will is

[15] That is, an appetitive power that lacked freedom.

required to moderate its appetite qua intellective appetite—in other words, to moderate its affection for the advantageous—so that it does not will immoderately.

52 Now there are three ways in which a will that is capable of moderating itself can will immoderately the happiness that is appropriate for it: with respect to intensity (that is, by willing happiness with greater fervor than is appropriate), with respect to precipitance (that is, by willing happiness for itself more hastily than is appropriate), or with respect to its cause (that is, by willing happiness for itself in a way that is not appropriate for it, say, apart from merits). Or perhaps there are other ways that we need not concern ourselves with here.

53 It is probable that the angel's will transgressed in one of these ways. The first possible way was by desiring happiness for himself insofar as it is his own good more than he loved happiness in itself: in other words, by desiring his own possession of that good as beatific object—as *his* good—more than he desired it to be in another, as in his God. And in this is the supreme perversity of the will, which is using things that ought to be enjoyed and enjoying things that ought to be used, according to Augustine in question 30 of *83 Diverse Questions*. A second possible way is that he could have desired to have happiness straightaway, whereas God wanted him to have it only after some time as a wayfarer. And a third way was by desiring to have it through his own natural powers, rather than by grace, whereas God wanted him to have it on the basis of merits.

54 His free will, then, ought to have moderated its affection in these respects, which it was the job of right reason to discern. For he ought to have desired happiness less for himself than for God, and at the time at which God willed him to have it, and on the basis of merits as God willed him to desire it. Therefore, if in any of these respects he followed the affection for the advantageous and did not moderate it in accordance with justice (through infused justice, if he had it, or through acquired justice, or through the innate or natural justice that is the very freedom of the will), he sinned.

55 On this basis, then, I reply to the objections. To the first [n. 46]: Natural will is not immoderate of itself. It merely inclines in the manner of nature, and there is no immoderateness in that, since it inclines in just the way that it has been given the power to incline, and it has no power to do anything else. But it is in the power of the will as free to follow that inclination in its elicited act or not.

56 So I concede the claim that there is a natural will for happiness. But this is not a will that is actually immoderate in an elicited act, since the inclination of natural appetite is not an elicited act, but merely a first perfection. And this first perfection is not immoderate, just as the nature to which it belongs is not immoderate. Nonetheless, the natural will is inclined to its object by the affection for the advantageous in such a way that if it did have an elicited act from itself, it would not be able to restrain itself from eliciting the act to the highest degree possible for it. But in fact that will as

having only the natural affection for the advantageous is not the cause of any elicited act. Only the will as free is the cause of any elicited act; and so, as eliciting an act, the will has the wherewithal to moderate its passion.

As for the premise that a will consonant with natural will is always correct, because natural will is always correct, I reply and say that if a will is consonant with what natural will would elicit if it acted by itself, it is not correct. For the will has a rule in acting that a natural will acting on its own would not have, and the will is bound to follow this higher will. Consequently, the will has the power to moderate that natural inclination and the power not to moderate it, since it is in the will's power to stop short of doing everything it has the power to do. 57

To the second objection [n. 47] I say, on the same basis, that it is not in the intellect's power to withhold its assent from the truths that it apprehends, for insofar as the truth of principles is evident from their terms or the truth of conclusions is evident from principles, it has to assent, because it lacks freedom. But the will has the power, with respect to both itself and inferior powers, to prevent that inclination from having complete sway in eliciting an act, or even to prevent the act from being elicited at all. For the will can avert the intellect from considering the speculative matters concerning which it has an inclination, and it is bound to avert the intellect if speculating about those things is a sin materially for the intellect or formally for the will. In the same way, the will is bound to moderate its inclination toward the ultimate end so that it does not will it immoderately, that is, in some way other than how it ought to will it, or will it for oneself rather than for its own sake. 58

Alternatively, it can be said that just as an act of intellect considering principles in themselves cannot be false, so too an act of will loving the end in itself cannot be bad; and this act is an act of friendship, not an act of desire. Nonetheless, just as an act of intellect can be false by attributing the truth of the first cause to some created principle to which such truth does not belong, so too an act of will can be bad by desiring the goodness of the end for something other than the ultimate end, in a way that is not appropriate for that other thing. 59

To the third objection [n. 48] I say that there was as great a natural inclination to happiness in the good angels as there was in the bad angels—even greater, if the good angels had better natural gifts, since this inclination is proportional to the perfection of one's natural gifts. Nonetheless, the good, in eliciting their act, did not exercise their will in accordance with its imperfect character—that is, as merely intellective appetite (acting, in other words, in the way they would have desired to act from [merely] intellective appetite). Rather, they exercised their will in accordance with its perfect character, which is freedom—acting according to their will in the way that is fitting for someone acting freely insofar as he performs a free act, in conformity with the rule determined by a superior will, and thus justly. 60

61 As for the claim that one cannot fail to will advantageous things, I respond that the good angels were neither able nor willing to will-against happiness for themselves, and indeed [to do otherwise than will happiness] by desiring it for themselves. But they did not will happiness for themselves more than they willed God's well-being for God's sake; rather, they willed their own happiness less, because thanks to their freedom they were able to moderate that willing in that way.

62 Now you might object that if that's true, they weren't really *desiring* happiness for themselves in the right way; they were merely *moderating* that desire in the right way. I reply that having a perfect act of desiring a good for oneself, so that through that act the object is loved more for its own sake [than for the sake of the one desiring], comes from the affection for justice; for that in virtue of which I love something for its own sake is that in virtue of which I will something for its own sake. And in this way the good angels were able to desire happiness in such a way that, in possessing happiness, they would more perfectly love the supreme good—and this act of desiring happiness would be meritorious, because it does not involve using what ought to be enjoyed, but enjoying it, since the good that I desire for myself, I desire in order that I might love that good for its own sake all the more.

63 *b. The desire for excellence* Now that we have seen what the angel's first disordered desire was for, it can be stated that he went on to desire, in a disordered way, a certain good for himself: namely, excellence in comparison with others. Or else he had a disordered willing-against by willing-against the opposite of what he desired: namely, by willing-against happiness being in himself less than being in God (in fact, being God), or willing-against waiting for happiness until his period of wayfaring had passed, or willing-against having it on the basis of merits rather than from himself, and consequently willing-against being subordinate to God—and finally, willing-against the very being of God, in which his wickedness appears to have reached its pinnacle. For just as no act is formally better than loving God, so too no act is formally worse than hating God.

B. The kind of sin to which the badness in the first sinful angel belonged

64 As for the second topic [n. 33], we still need to investigate what sort of sins the following were: the angel's immoderate friendship-love [nn. 37–8]; his immoderate desire for happiness [nn. 40–62], which he desired in one of the three ways explained earlier [n. 53]; and the inordinate willing-against that followed (whichever of the aforementioned willings-against it might have been [n. 63]).

65 The standard view[16] concerning the first sin is that it was pride.

[16] Isidore, *Sententiae* I c. 10 nn. 7–8; Alcuin, *Interrogationes et responsiones in Genesim* n. 93; Rupert of Deutz, *De Gloria et honore Filii hominis, super Matthaeum* XIII, *De glorificatione et processione Spiritus Sancti* I c. 8, *De Victoria Verbi Dei* I c. 8; William of Auxerre, *Summa aurea* II tr. 3 c. 2; William of Auvergne, *De universo* II-II c. 58; Albert the Great, *Sent*. II d. 5 a. 2 in corp. and ad argg., a. 3 in corp.,

This is evidently what Augustine holds in *City of God* XIV.13, where he claims that presumption is "being too pleased with oneself," which is why Scripture calls the proud "those who are pleased with themselves." Therefore, because immoderate delight in oneself is being immoderately pleased with oneself, [the angel's first sin] was pride, properly speaking, and thus presumption.

But there is evidently a controversial point here. If pride, properly speaking, is an immoderate desire for one's own excellence, and being immoderately pleased with oneself is evidently not, properly speaking, an immoderate desire for excellence, how does being immoderately pleased with oneself count as pride? 66

Also, second: someone who is presumptuous evidently puts himself ahead of others, either with regard to the goods that he really does have or with regard to those that he believes himself to have. But immoderate self-love does not seem to be self-preference of this sort. For immoderate friendship-love for oneself and immoderate friendship-love for another (say, for one's neighbor) are evidently bad in the same way; but someone who loves another person immoderately is called lustful rather than presumptuous. So someone who loves himself immoderately is not called presumptuous either. 67

In reply to these arguments [nn. 66–7] I say that someone who immoderately loves some good wills immoderately that that good be a great, indeed the greatest possible, good. He wills this *immoderately* because, without willing that anything more should accrue to that good so that it will increase, he wills that it be greater in itself than it is. And when he cannot achieve its being greater or better in itself than it is (since that's impossible), he consequently wills that it be as great as it can possibly be, either in comparison or in opinion: in comparison, meaning that he wills that it be preeminent over the goods of others; in opinion, meaning that others believe that his good is as great as possible. Accordingly the will to be preeminent or to rule over all others follows the will by which someone immoderately wills his own good. 68

So to the first argument [n. 66] I say that someone who is presumptuous (in the sense in which presumption is the first species of pride[17]) does not will that his own good be preeminent over the goods of others in terms of any superiority; he does not even will that it be preeminent in terms of reputation (as is the case for someone who desires praise). Rather, he wills that it be great in and of itself; he wills it to be so great that, without anything additional accruing to that good, it is greater than all other goods that he does not love in this way. Accordingly one can concede that the 69

ST II tr. 5 q. 21 n. 2 in corp.; Bonaventure, *Sent*. II d. 5 a. 1 q. 1 in corp.; Thomas Aquinas, *Sent*. II d. 5 q. 1 a. 3 in corp.; Richard Middleton, *Sent*. II d. 5 princ. 1 q. 1 in corp.

[17] For the four species of pride, see Gregory, *Moralia in Iob* XXIII c. 6 n. 13; Peter Lombard, *Sent*. II d. 42 c. 7 n. 2; Alexander of Hales, *ST* II-II n. 508 in corp.; Thomas Aquinas, *Sent* II d. 42 q. 2 a. 4 in corp., *De malo* q. 8 a. 4 in corp., *ST* II-II q. 162 a. 4 in corp.

immoderate self-love that is the "root of the city of the devil" is presumption, because someone who immoderately loves himself wills that he be as great a good as would be proportionate to his act of self-love. This is a way, and indeed a good way, to understand Augustine's claim in *City of God* XIV.13 that someone who is immoderately pleased with himself is proud (in the first species of pride): not by desiring the excellence that is a certain relation, but by desiring the excellence that is intrinsic greatness, from which excellence in relation to others follows.

70 To the second argument [n. 67] I say that presumption is not a sin of the intellect, as though the presumptuous person's intellect judged himself to be, or presented himself as being, greater than he in fact is. Rather, it is a sin of the will, which immoderately desires that its own good be greater than it in fact is; and from this follows a darkening of the intellect. As for the additional claim that this immoderate willing of oneself is evidently not pride, just as immoderate willing of one's neighbor is not, look elsewhere for my reply.[18]

71 But as for the disordered character of his desire-willing [n. 64], that desire for happiness was evidently not pride, properly speaking—not, at any rate, the first species of pride. This is clear because if presumption, as explained in the preceding article [n. 69], pertained to the first disordered friendship-willing, it does not pertain to any desire-willing. And if this sin should be assigned to any general class of sin, it is evidently more consonant with the sin of lust: for although lust, properly speaking, is a sin in carnal acts, one can nonetheless speak of lust in any case of immoderate desire for something delightful qua delightful, provided that what is desired is not excellence (and that desire for happiness was not a desire for excellence).[19]

72 As for the disordered character of the third act, the act of willing-against [n. 64], it is sufficiently clear that each of those willings-against was avarice or envy.

73 Someone might object that that disordered desire [n. 71] was not the sin of lust, so it must have been some other sin, properly speaking; and, by process of elimination, it was evidently not any sin other than pride (and this is proved[20] on the basis of the celebrated and widely accepted classification of seven mortal sins). I reply: whether mortal sins are distinguished on the basis of bad habits that are opposed to good habits (such as the seven good habits, four moral and three theological) or—what seems more probable—on the basis of good acts (such as the acts corresponding to

[18] See n. 74, as well as n. 69.

[19] 'Excellence' here has the relational sense, not the sense of intrinsic greatness (see n. 69).

[20] Cassian, *De institutis coenobiorum* V c. 1, *Collationes* collat. 5 c. 2, 23, and especially c. 16; Gregory, *Moralia in Iob* XXXI c. 45 n. 87; Isidore, *Differentiae* II c. 40 n. 161, *Quest. in Vet. Test.* In Deut c. 16 nn. 3–4; Alexander of Hales, *ST* II-II n. 498 opinion 3 and in corp., n. 496 in corp., and n. 497 in corp. and ad 6; Bonaventure, *Sent.* II d. 42 dub. 3 arg. 1–2 in opp. and in corp.; Thomas Aquinas, *Sent.* II d. 42 q. 2 a. 3 in corp., d. 5 q. 1 a. 3 in corp., *De malo* q. 8 a. 1 arg. un. and in corp., *ST* I-II q. 84 a. 4 arg. in opp. and in corp., II-II q. 132 a. 4 in corp. and q. 162 a. 8 in corp.; Richard Middleton, *Sent.* II d. 42.

the ten commandments), either way, that sevenfold division of capital sins would not be adequate. For in the first way, the seven capital sins would have to be different from those [in the traditional classification], since faithlessness and despair are properly opposed to the sevenfold [list of virtues] and are not included within any of the seven [on the traditional list of capital sins], whereas in the second way, there would need to be ten capital sins, corresponding to ten violations of the Decalogue. So the traditional division should not be regarded as adequate to encompass all bad acts: those sins are not the ultimate[21] roots [of all sinful acts] and perhaps not even the principal sins, but perhaps they are very common to other sins as occasions for sinning.

II. Replies to the preliminary arguments

Replies to the preliminary arguments. 74

To the first argument [n. 25] I say that Augustine is speaking of the unqualifiedly first sin, which was an inordinate friendship-willing. And that was indeed presumption, and I concede that that presumption was the unqualifiedly first sin, but not presumption as the first species of pride, which is the proper sense of the term.

To the second argument, concerning the division in 1 John ("All that is in the world," 75
etc.) [n. 26], from the fact that he begins with "All that is in the world" it is clear that he means "what is alluring to human beings who dwell in the world." Thus, the sins that human beings generally commit are encompassed by that threefold classification. But the angel's first sin, the *spiritual* sin by which the angels initially sinned, need not be encompassed by this *carnal* sin. Indeed, if we have to classify that sin of desire in the second step [n. 44], it would be more appropriate to classify it as lust of the eyes. For just as in us immoderate desires for some beautiful visible thing pertain to the lust of the eyes, so in the angels an immoderate desire for something delightful ought to pertain to the lust of the eyes.

In reply to the third argument [n. 27], it is clear that that argument by elimination, 76
based on the sevenfold classification of capital sins, is not sufficient to include their act of desire, unless we assign it to one of them taken in an extended sense.[22] And if we do that, I can concede that that sin is assigned to lust (*luxuria*), just as every inordinate desire for something delightful qua delightful belongs to the lust of the eyes (*concupiscentia oculorum*).[23]

To the fourth argument [n. 28] I say that there was not just one sin; there were many 77
sins, as I said in distinction 5.[24]

[21] Reading *primae* (AVNYOQ) for the edition's *primo*.
[22] "unless we assign it to one of them taken in an extended sense": *nisi per quamdam reductionem*.
[23] Cf. nn. 71 and 75. [24] Cf. dd. 4–5 n. 45.

78 As for the claim that the angel's first sin was incurable [n. 28], I say that when the angel committed his second sin, he was still a wayfarer. Consequently, when he committed his second sin, he was able to repent of his first sin and, further, receive forgiveness and mercy; and thus the first sin was not of itself incurable. Yet because he persisted in that [first] sin to the end, all his sins *became* incurable. For any sinner's sin is incurable if the sinner persists in it to the end. (I will explain in the next distinction[25] how this incurability derives entirely from God's law, according to which someone who persists in sin to the end does not receive grace.) I therefore deny the premise that there was only one sin in this case. Hence, the demon's badness began with his immoderate self-love, which was not the greatest sin, and reached its pinnacle in hatred of God, which is the greatest sin, since from this hatred of God it followed that he could not have the things he willed so long as God continued to exist. And so, as a result of this prior inordinate appetite, he was able to will that God not exist, and thus to hate God.

III. Replies to the arguments for the negative

79 To the first argument for the negative [n. 29] I say that the first sin was not the greatest sin. For just as in good things one proceeds from a greater good to a lesser good (for example, from love of the end one proceeds to love of things that are for the end), so, conversely, in bad things one proceeds from a lesser evil to a greater evil, as Augustine says at the end of *City of God* XIV: "love of self to the point of contempt for God."

80 The other two arguments—the one about passions of the irascible power in relation to passions of the concupiscible power [n. 30] and the one about the desire for excellence (taking 'excellence' in the sense that implies a comparison between the excellent person and others) [n. 31]—can be conceded. For in terms of the angel's act of desire, he did not first desire the excellence that is an irascible or concupiscible passion; rather, he desired supremely perfect happiness. But if we were speaking of his first inordinate friendship-willing, it can be said that that was not an irascible act or passion, but concupiscible: for if it is the role of the concupiscible power to desire [*concupiscere*] a good for what one loves, it is also the role of the concupiscible power to love the good thing for which one desires that good.[26]

[25] d. 7 nn. 51–4, 56, 60.

[26] The edition, following ASV, adds a fragmentary response to an objection that does not even appear earlier (though it does appear in the parallel passage in the *Lectura*):

81 In reply to the passage from 1 Timothy 6:10, "The root of all sin," etc.

15

Ordinatio II, d. 7, q. un., nn. 28–39

The levels of goodness

Concerning the first topic I say that beyond the natural goodness of a volition, which characterizes it insofar as it is a positive being—which indeed characterizes every positive being according to the degree of its being: the more being, the more goodness; the less being, the less goodness—there is a threefold moral goodness, ordered hierarchically. The first of these is called generic goodness; the second can be called virtuous goodness or goodness from circumstances; and the third can be called meritorious goodness, gratuitous goodness, or goodness in virtue of divine acceptance as ordered to a reward. 28

The first of these characterizes a volition in virtue of the fact that it has an object that is suitable for that act according to a dictate of right reason, and not merely because it is naturally suitable for the act in the way that the sun is suitable for vision. And this is the first moral goodness, which can be called generic goodness because it is in effect the matter with respect to all further goodness in the genus of morals. For an act that has an object is, as it were, formable by every other moral circumstance, and thus is in effect something potential: not completely outside the genus of morals, as that same act was in the genus of nature, but within the genus of morals, since it already has something of that genus, namely, an object suitable for the act. 29

The second goodness characterizes a volition in virtue of the fact that it is elicited by the will with all the circumstances that right reason dictates should characterize the act when the will elicits that volition. For as Dionysius says in *On the Divine Names* 4, what is good is "from a complete cause." And this is in effect *specific* moral goodness, since it includes all the moral differences that contract generic goodness. 30

The third goodness, which presupposes the first two, characterizes an act in virtue of the fact that it is elicited in conformity with the principle of merit, which is charity or grace, or (in other words) in accordance with the inclination of charity. 31

An example of the first is giving alms. An example of the second is giving alms from one's own resources to a poor person who is in need, and in the place in which it is most appropriate to give to him, and on account of love for God. An example of the third is doing this act not merely from natural inclination, as it could have been done 32

in the state of innocence (or possibly still could be done by a sinner, if someone in a state of sin and not repenting were to be moved by natural piety to relieve his neighbor), but from charity, by which the one who does such an act is a friend of God, insofar as God looks with favor on his act.

33 Now this threefold goodness is ordered in such a way that the first is presupposed by the second and not vice versa, and the second is presupposed by the third and not vice versa.

34 There is a threefold badness opposed to this threefold goodness. The first is generic badness, which is when an act that has only natural goodness, in virtue of which it ought to be located in the genus of morals, is bad because it has an unsuitable object: for example, if hating has God as its object. The second is badness in virtue of some circumstance that makes the act disordered even though the act has an object that is suitable to it according to right reason. The third is badness in demerit.

35 Now each of these badnesses can be taken as either contrary to or privative of the corresponding goodness. Taken as privative, it is merely a privation of that goodness, whereas taken contrarily, it indicates something beyond the mere lack of goodness that is incompatible with that goodness. This distinction is evident from Boethius's commentary on the *Categories*, in the chapter on quality, where he speaks about justice.[1]

36 But generic badness taken contrarily and generic badness taken privatively are equivalent: just as there is no intermediate between possession and privation, generic goodness and generic badness are immediate contraries. The reason is that there cannot be an act that has no object, and that object necessarily is either suitable or unsuitable for the act; and thus, necessarily, either an act is generically good in virtue of having a suitable object or generically bad in virtue of having an unsuitable object.

37 In the second sort of badness, badness taken privatively and badness taken contrarily are not equivalent. For an act can lack a circumstance required for the perfection of a virtuous act and yet not be elicited with a circumstance incompatible with such perfection, such as would render the act vicious. For example, suppose someone gives alms to a poor person but does not do so from the circumstance of the end (since he does not even think about the end) or according to the other circumstances that are required for a virtuous act. That act is not good or morally virtuous, but neither is it contrarily bad, since it is not ordered to an inappropriate end, as would be the case with someone who gave alms to a poor person for the sake of an empty reputation or for the sake of some other inappropriate end.

38 In the third sort of badness, badness taken contrarily and badness taken privatively are not equivalent, since an act can be privatively bad, in that it is not elicited from

[1] Boethius, *In Categ. Aristot.* III c. 'De qualitate.'

grace, and yet not be demeritorious. This is evident from the second sort of goodness and badness, since an act that is unqualifiedly good in the genus of morals is not [automatically] meritorious, and yet not every such act is demeritorious. And thus in both the second and the third sort of goodness one can affirm an indifferent act: one that is bad privatively but not contrarily, because it is indifferent. I will say more about this indifference elsewhere.[2] Likewise, it is not only because an act is neutral with respect to the second goodness that it can be neutral with respect to the third (that is, neither good nor bad, taking good and bad as contraries), but also because of the disposition of the agent. For example, if someone had acted rightly in the state of innocence, without grace, that act would indeed have been perfectly good in terms of the second sort of goodness but not good in terms of the third, since the agent did not have the principle of merit; but it would not have been contrarily bad.

Perhaps, though, in this present life no act is neutral between good and bad taken in 39
the third way, except in one case: when an act is good from circumstances but charity does not incline the agent toward that act. And the reason is that in this life a given agent is either in a state of grace or in a state of sin. If he is in a state of grace and has an act that is good in the second way, then grace inclines him to that act and thus the act is meritorious; if he has an act that is bad in the second way, clearly the act is demeritorious. (For badness at the first level always implies badness at the second level, but not vice versa; and badness at the second level always implies badness at the third level, but not vice versa.) If, by contrast, the agent is in a state of sin and has an act that is bad in the second way, he sins by that act; if he has an act that is good in the second way, the act is neither good nor bad in the third way. Therefore, it is neutral, taking good and bad in the third way as contraries; it is not, however, neutral in the second way.

[2] *Ordinatio* II d. 41 nn. 6–14.

16

Ordinatio II, dd. 34–7, q. 2

"Is sin per se a corruption of good?"

10 Concerning distinction 35, a closely related question is asked: is sin per se a corruption of good?[1]

11 For the negative:

Augustine, *Against Faustus* XXII.27, cited in the text of the *Sentences*:[2] "A sin is something said, done, or desired contrary to the law of God." Each of these is positive [, not privative]. Therefore, etc.

12 Furthermore, if a distinction in *x* is the basis for a distinction in sins, then *x* belongs per se to the notion of sin. And a distinction on the basis of something positive—for example, turning toward this sort or that sort of changeable good—is the basis for a distinction in sins; therefore, turning toward created good in general is itself turning toward sin in general.

13 Furthermore, I ask: of what good is sin the corruption? It is not the corruption of the good in which it exists, because an accident does not corrupt its subject, since it naturally presupposes its subject; and what naturally presupposes something does not corrupt it. It is not the corruption of some other good, because according to Augustine in *City of God* XII.6, evil "corrupts the good that it harms," and it harms only the one in whom it is; therefore, etc.

14 Augustine maintains the affirmative in commenting on John 1:3, "Without him nothing was made": "Sin is nothing."[3] And Anselm explicitly sets out to prove this in *On the Virginal Conception* [5] and *On the Fall of the Devil* 16. Pay careful attention to what he says there.

[1] Scotus raises five questions dealing with distinctions 34 through 37 taken as a unit. I have included the full text of question 2: the preliminary arguments (nn. 10–14), an examination of alternative answers to the question along with Scotus's own answer (nn. 33–66), and replies to the preliminary arguments (nn. 67–70).

[2] Peter Lombard, *Sent.* II d. 35 c. 1 n. 1.

[3] Augustine, *In Ioan. evangelium* tr. 1 n. 13.

I. Reply to the second question

A. Sin is formally a privation of good

Although the Master treats these questions as belonging to different distinctions, 33
their answers are connected, and because of that connection they can be dealt with together in this way. And the first of them that needs to be answered is the second question, because the answer to that question plays a role in the others.

Now one could just stipulate what is meant by the word 'sin' without proving it, since before any question about something, one must first know what is meant by the word. Nonetheless, that sin is formally a privation of good is shown by the authorities cited for the affirmative [n. 14], as well as by an argument like this: an inferior agent is bound in acting to conform itself to a superior agent, since if it is in the inferior agent's power either to be conformed or not to be conformed to the superior agent, then not being conformed to the superior agent is a sin. For something is called a "sin" (whether we are speaking of sin against divine law or against human law) because the one sinning was able to conform to the law of a superior agent but did not conform.[4] Therefore, this act that is in the power of the one who does not conform, and is therefore voluntary, is not formally sin; for if that act were in conformity with the superior rule, it would not be sin. So it is precisely the privation of such conformity that constitutes the sin in that act.

B. Of what good sin is formally the privation

From this we can infer, further, of what good sin is formally the privation. 34

1. THE VIEWS OF OTHERS

One view[5] is that sin is the privation of the good of the one in whom the sin is 35
present, because it harms him, as was argued [n. 13] on the basis of what Augustine says in *City of God* XII.6; another view[6] is that sin is the privation of a supernatural good, namely grace; and a third view[7] is that sin is a corruption of the acquired habits to which virtually evil acts are opposed, just as habits generated from formally evil acts are formally opposed to virtuous habits.

[4] Reading *discordavit* with Q. The edition, along with nearly all the other manuscripts, has *discordare*. On that reading, the sentence would conclude as follows: "because the one sinning was able to conform and not to conform to the law of a superior agent." Q obviously gives a better sense.

[5] Alexander of Hales, *ST* II-II n. 15 in corp., n. 19 in corp., n. 21 in corp., n. 10 arg. 1 in opp.; William of Auxerre, *Summa* II tr. 11 c. 2 q. 2 a. 1 in corp., c. 3 q. 4 ad 6.

[6] Thomas Aquinas, *Sent*. II d. 35 q. 1 a. 1 ad 3.

[7] Bonaventure, *Sent* II. d. 35 a. 1 q. 1 in corp., ad 1 in opp., q. 2 in corp.

2. REFUTATION OF THESE VIEWS

36 Four arguments against the first of these views:

First, since the good in which sin is present is finite, it could be totally destroyed by the subtraction of some finite good if it is subtracted often enough.

37 Now someone might say[8] that parts of the same proportion are subtracted, so this can continue indefinitely. On the contrary: the second bad thing can be equal to the first in badness, or even worse; therefore, it corrupts a quantitatively equal or even greater part of the thing; so by continuing with equal or greater sins, it follows that in the end the nature will be totally destroyed.

38 Second, because an intellectual nature can be created only by God and consequently is unqualifiedly incorruptible with respect to any creature, so that no creature can destroy it, it follows that one who sins cannot through his act destroy anything of his own nature, since as far as incorruptibility is concerned, anything of his nature is of the same character as his nature as a whole, for something incorruptible is not composed of corruptibles.

39 Furthermore, what is formally incompatible with an effect does not destroy a non-necessary cause of that effect. 'Sin' indicates formally a deformity or obliquity that is incompatible with rectitude in an act. Therefore, it does not destroy a non-necessary cause of this rectitude. (The will is not a necessary cause of rectitude, both because it does not cause its act necessarily, but only contingently, and because if it does cause an act, it does not necessarily cause it to be right.) Proof of the major premise of this argument: a contingent cause of something can exist and not cause; therefore, the cause need not be destroyed because of the non-existence of its effect. This is evident through the opposite, by analogy: something bringing about an alteration by inducing something repugnant to a quality corrupts the substantial form precisely because such a quality is a necessary concomitant of that substantial form. Therefore, what strictly corrupts a contingent concomitant cannot corrupt that of which it is a contingent concomitant.

40 Furthermore, [if sin were formally a privation of the good thing in which it is present,] sins would not differ in species, since they are privations of one good, and privations are distinguished in species only on the basis of the positive features of which they are privations.

41 Some of the same arguments prove that sin is not formally the privation or corruption of grace (though the first argument [n. 36] does not prove this), since grace is completely destroyed by the first mortal sin. But there is an additional consideration

[8] It is not known who proposed this argument, which is considered by William of Auxerre (*Summa* II tr. 13 c. 4 q. 1 in corp.), Thomas Aquinas (*De malo* q. 2 a. 12 in corp.), and others.

that applies to this case in particular, namely that a subsequent sin would not be a sin, since it would not corrupt anything that sin is apt to corrupt, since there is no grace present to be corrupted.

The second argument [n. 38] applies here, because God alone creates grace and God alone conserves it; and when it is destroyed, it is annihilated—for if something's production is creation, its destruction is annihilation. The third argument [n. 39] also applies here, because grace is a contingent cause of rectitude in an act. And the fourth argument [n. 40] applies likewise, because all mortal sins would have the same formal character as privations. 42

Some of the same arguments [nn. 36, 39] also prove that sin is not formally the privation of justice or acquired virtue, since although it does not always remain incorruptible as a nature does and is not corrupted by a single mortal sin as grace is, nonetheless, mortal sin is not per se a privation of it, since it can coexist with mortal sin. 43

You might say that mortal sin cannot coexist with justice. On the contrary: justice can exist more intensely in one person who is sinning mortally than in another who is not sinning—say, if one person has justice in degree 9 and another has it in degree 10, and the one who has it in degree 10 sins mortally. Stipulate that the tenth degree is corrupted in him: then he still has justice equal to the one who did not sin mortally; therefore, if the other had sinned mortally by committing a similar sin, that sin would not have been incompatible with his justice in degree 9, and therefore it would not have corrupted it! 44

The third argument [n. 39] applies here, since any such habit is only a contingent cause of an act of sin. 45

3. SCOTUS'S ANSWER

I therefore concede, in keeping with the answer already set forth [n. 33], that sin is a corruption of rectitude in second act: not of natural rectitude or of any habitual rectitude, but of actual moral rectitude. But I do not mean the corruption that is a change from being to non-being, for sin can remain after justice goes from being to non-being, and it can also be present without any such change from being to non-being; rather, I mean corruption formally, in the way in which a privation is said to be formally a corruption of the corresponding positive feature. For it is in this way that sin is defined formally as the corruption of rectitude in second act, because it is opposed to that rectitude as a privation is opposed to the corresponding positive feature: not indeed to rectitude that is present (for then two opposites would be present in the same thing at the same time) or to rectitude that was previously present in the act (since an act does not persist in such a way that it can undergo alteration from one opposite to the other), but to the rectitude that ought to be present. 46

47 For a free will ought to elicit every act in conformity with a higher rule, that is, in accordance with divine command; and so when it acts in a way that does not conform with that rule, it lacks the actual justice that it ought to have—that is, the justice that ought to be present and is not. And this lack, insofar as it characterizes a deficient act of will (as will be explained in another answer [n. 125]), is formally actual sin.

48 This is evident from authorities:

The first is that of Augustine in *On the Two Souls* 11.15: "Sin is the will to retain or to pursue what justice forbids and from which the will is free to abstain." Put more concisely: sin is willing what is forbidden. Thus, the will itself is the material cause of sin (and the whole is imputed to the will just insofar as it is in the will's power), and what is forbidden or prohibited is the formal cause; it indicates the act's lack of harmony with the higher rule.

49 Similarly, Ambrose says in his book *On Paradise* (and this is cited in the text), "Sin is a transgression of heavenly commands," etc.[9]

50 What Augustine says in *City of God* XII.8 also agrees with this: "The will would not become evil if it were not willing to become evil, and therefore its voluntary defections receive just punishment. For it defects, not to evil things, but in a way that is evil in that it is contrary to the order of natures, from the one who supremely exists to that which exists in a lesser degree; and thereby" etc. (Look up the passage.) He is in effect saying that what is formally sin is not this positive act of willing a creature, but rather the lack of the order that ought to be in the act, by which the creature ought to be loved for the sake of the supreme good. The will defects from this order by resting in a created good, and this defect is formally sin.

51 Reason agrees with these authorities, since every sin is formally injustice, and a particular sort of sin is a particular sort of injustice and consequently a privation of a particular sort of justice. Therefore, actual sin is formally actual injustice, and so a privation of actual justice, that is, of the justice that ought to be present in the act.

4. FOUR QUESTIONS ABOUT SIN AND THEIR ANSWERS

52 This answer [nn. 46–51] provides a clear basis for answering further questions about sin: first, whether turning away from God or turning toward a creature is more central to something's being a sin; second, how mortal sins could be distinguished in species if the formal notion of sin consists in turning away from God; and third, how one sin can be more serious than another if every sin is a turning away from the same good (for a pure privation evidently does not admit of more and less, according to Anselm, *On the Virginal Conception*, c. 24).[10]

[9] Ambrose, *De paradiso* c. 8 n. 39; Peter Lombard, *Sent*. II d. 35 c. 1 n. 2.
[10] A fourth question is raised and answered in n. 63.

a. The first question To the first question I say that turning away from the ultimate end can be understood in two ways: formally and virtually. 53

One turns away formally either contrarily or negatively, such that the will either wills-against that end or does not will it when it ought to. Such willing-against is hating, whereas not willing is leaving the commandment "You shall love the Lord your God,"[11] etc., unfulfilled. 54

One turns away virtually when something is necessary for attaining the ultimate end and the will, by turning away from that, is thereby virtually turned away from the end (in much the same way that an intellect by denying a conclusion is virtually turned away from a principle). 55

Turning away formally, in and of itself, has the same character whether it is done contrarily or negatively. And it is not included formally in every sin: for hatred of God is a particular sin, and leaving the commandment "You shall love the Lord your God," etc., unfulfilled is another particular sin. 56

Turning away virtually is common to every mortal sin, because in every such sin the will is related inordinately to something that is necessary for the end. From where does this necessity come? From the divine will commanding that it be observed "if you wish to enter into life,"[12] not from any other practical syllogism. For in this context it does not behoove one to examine the moral teaching of the philosophers, but rather the commandments of God in Scripture. 57

This sort of turning away from God is the essential defining feature of every sin. For just as the formal feature of rectitude is an end's proper power[13] in an act concerning something for the end, so also the lack of such rectitude is properly[14] the lack of the power from the end, since proper formal turning away is from that which is necessary for[15] the end. And thus turning away is nothing other than a lack of order on the part of the will regarding something ordered to the end by divine commandment, concerning which the will ought to be ordered. 58

b. The second question From this the answer to the second question becomes clear. For since privations are distinguished in species on the basis of the distinction in species of their corresponding positive features, in the way in which distinction applies to privations and numbers, there are as many different species of lacks as there are different species of rectitudes that acts ought to have. And thus these sins are not distinguished on the basis of the objects toward which the sinner turns 59

[11] Deuteronomy 6:5, Matthew 22:37. [12] Matthew 19:17–19.
[13] Reading *propria virtus* (Q) for the edition's *propria*.
[14] Reading *proprie* (Q) for the edition's *propria*.
[15] Reading *necessarium* (Q) for the edition's *proprium*.

(for those objects are only materially bad); rather, their formal character is distinguished by reference to rectitudes of different species that ought to exist in the acts.

60 And thus many sins of the same species can be present in a single act; these sins are privations of numerically many actual rectitudes[16] that ought to be present in diverse successive acts.

61 *c. The third question* The answer to the third question is also clear: a sin that is opposed to a better rectitude is more serious according to its genus; and a rectitude that is closer to the end is better, other things being equal. This is clear from the analogy with principles and conclusions: an error that redounds more to the discredit of a principle, or that involves denying a conclusion that is truer and more proximate to a principle, is greater and falser.

62 But if we are talking about sins within the same genus of mortal sin, the greater the desire with which the will sins, the more serious the sin is, since the more effort one puts in, the more perfect is the act that one causes. And one is bound to give a proportionate rectitude to an act, if it is capable of rectitude—or if it is not capable of rectitude, to restrain oneself from that act more than from another act that is less repugnant to rectitude—and thus, by failing to do so, one sins more. An example of this is if an intellect that is in error concerning one conclusion has a more necessary object than another intellect that is in error concerning some other conclusion: the former error is worse precisely to the extent that the true act opposed to it ought to be more perfect.

63 *d. The fourth question* On this basis it is also readily apparent that if sins could be continued infinitely, nothing absurd would follow.[17] For good would be corrupted infinitely, not in terms of the corruption that is transmutation, but formally, in terms of the corruption that is privation; and it would be a corruption, not of a good that was present, but of a good that should have been present. And if a will is conserved infinitely, it ought to have infinitely many goods or infinitely many upright acts, and so a will can be deprived of infinitely many such goods without the will itself, or anything pertaining to first act in the will, being diminished.

64 Someone might object to this approach and argue in favor of the other two approaches [n. 35], which hold that either nature or grace is corrupted. An argument[18] in favor of the claim that sin corrupts nature is made on the basis of Luke 10:30, "they beat him." The Gloss says, "sin wounds in natural endowments," which

[16] Reading *rectitudines* (Q) for the edition's *aptitudines*, "aptitudes."

[17] Scotus here responds to a question not raised at n. 52 but asked explicitly in *Lectura* II dd. 34–7 n. 60: "How can sins be multiplied to infinity without the nature being destroyed?"

[18] Peter Lombard, *Sent.* II d. 25 c. 7 n. 1, d. 35 c. 4 n. 2.

would not be true if sin did not take away anything from the perfection of a nature but merely prevented such perfections in second act.

An argument[19] for the claim that sin corrupts grace is that grace is destroyed by mortal sin. If sin did not formally corrupt grace, grace would be compatible with mortal sin, which is absurd.

To the first I reply that what is wounded loses no part of itself, though its wholeness is undermined and it is thereby rendered less fit for its activities; indeed, it is deprived of the good use of itself. Thus a nature that remains intact (as Dionysius says in *On the Divine Names* c. 4) is wounded when it is made unfit for its right use, and that happens through the repeated lack of actual rectitude. 65

To the second I say that sin cannot efficiently cause the corruption of grace. Rather, it only causes it demeritoriously, in such a way that the will's turning itself away is naturally prior to God's ceasing to conserve grace.[20] But every privation must be formally of some positive feature with which it is impossible for the privation to coexist. Therefore, sin is not formally the privation of grace, because sin does not destroy grace in virtue of incompossibility, but as demeritorious. 66

II. Replies to the preliminary arguments

Replies to the arguments: 67

To the first argument [n. 11]: "something said, done, or desired" identifies the material element in sin: "something desired" identifies the proximate matter and "something said" and "something done" the remote matter. "Contrary to the law of God" identifies the formal element in sin.

In reply to the second argument [n. 12] it is clear that the basis for the distinction in sins is in fact a distinction in privations, in the way in which privations can be distinguished [n. 59]. 68

In reply to the third argument [n. 13] it is clear that corruption is formally this privation of this good, which would be in the act if the privation were not, and of which this privation is a privation. As for the argument from Augustine, evil does not harm the one in whom it exists in himself, by taking away something that belongs to his nature, but rather by taking away a perfection suited to him, namely, actual justice. 69

[19] Thomas Aquinas, *ST* II-II q. 24 a. 10, a. 12 in corp.

[20] Reading *ita quod prius naturaliter avertit se voluntas quam Deus cesset conservare gratiam* (Q) for the edition's *ita quod prius naturaliter voluntas avertit se naturaliter quam Deus cesset naturaliter conservare gratiam*. The second *naturaliter* is redundant after the first one (and only three of ten collated MSS have both), and the third *naturaliter* (though admittedly present in all the MSS besides Q) would have Scotus saying that God conserves grace "naturally," which is very odd.

70 And if someone were to object that actual justice was not present and therefore cannot be corrupted, the response is evident from what I have said. For what follows is that it is not corrupted in the sense of being changed from being to non-being; rather, it is corrupted formally in that its privation is in him and the good of justice is not. It is in just this way that original sin corrupts original justice: it is a privation of original justice, not the destruction of original justice that had previously existed in someone.

17

Ordinatio II, d. 38, q. un.

"Is intention an act of the will alone?"

Concerning distinction 38 I ask whether intention is an act of the will alone. 1

Arguments for the negative: 2

Every per se agent acts for the sake of an end, according to *Physics* II [196b17–22], and therefore from intention.

Furthermore, there is no distinct vision without intention joining [the power of vision to the visible object], according to Augustine in *On the Trinity* XI.2.2. But there can be distinct vision preceding any act of the intellect, and consequently preceding any act of the will. Therefore, intention is not an act of the will alone. 3

Furthermore, Luke 11:34–5: "If your eye is simple, your whole body will be full of light"; and in the same place: "See to it, therefore, that the light that is in you not be darkness." The Gloss expounds 'eye' and 'light' as intention, and eye and light pertain to the intellect.[1] 4

Furthermore, intention involves relating one thing to another, but relating, like comparing, belongs to the intellect itself.[2] 5

On the contrary: 6

The Master argues for the affirmative in the text.[3]

And furthermore there is what Augustine says in *On the Trinity* XIV.3.5. 7

I. Reply to the question

I reply: 8

The first thing to examine is what is meant by the word 'intention.'[4] Now 'to intend' means 'to tend toward something else.' This can be understood generally, as

[1] Cf. Bonaventure, *Sent*. II d. 38 a. 2 q. 2 arg. 1–2 in opp. and q. 1 arg. 1.
[2] Cf. ibid., a. 2 q. 2 arg. 3 in opp. [3] Peter Lombard, *Sent*. II d. 38 c. 4 nn. 2–6.
[4] And the second (stated explicitly in the parallel text in the *Lectura*) is to which power the act of intention belongs.

encompassing both (a) what has its tending toward something else from another and (b) what has its tending toward something else from itself, as moving itself toward that thing. Also, something can tend toward something else either as toward a present object or as toward a distant or absent terminus.

9 Taken in the first way (a), intention characterizes every power with respect to its object.

10 Taken in the second way (b), more properly, intention is understood as applying to what tends toward another and is not led to that other, but instead leads itself. So understood, intention cannot belong to any natural power, but only to a free power, because as Damascene says,[5] "a non-free appetite is led and does not lead," and that is true of every natural power.

11 Therefore, 'intend' understood properly in this way, as meaning "to tend toward another in virtue of one's own power (*ex se*)," will belong paradigmatically to a free power. But because willing freely belongs to free choice as a whole, which includes both intellect and will (in keeping with the third view in distinction 25 of this book[6]), intention will belong to free choice as a whole (and that if it is understood in its most proper sense), and it will not belong to any power with respect to its object, but only with respect to an end. And since, according to Anselm,[7] in every volition there is both a *what* and a *why*, intention has to do not with the *what* but with the *why*, in that it indicates tending toward something as distant, through something as an intermediate.

12 Therefore, intention will be an act of free choice by reason of the will, and it will be an act of the will with respect to what it wills. Now if there is one and the same act of willing what is willed and that for the sake of which it is willed, use and intention will be one and the same act; but if they are distinct acts, 'intention' will indicate formally the act by which it tends toward the end and materially the act of use by which it refers something else to that end.

II. Replies to the preliminary arguments

13 In reply to the first argument [n. 2], it is evident that it depends on taking 'intention' as a tendency on the part of anything that is determined and terminated by something else.

[5] Damascene, *De fide orthodoxa* c. 36, c. 41.

[6] Scotus did not revise d. 25 for the *Ordinatio*. See *Lectura* II d. 25 n. 69, and for the development of Scotus's view of *liberum arbitrium* and the contributions of intellect and will, see Dumont, "Did Scotus Change His Mind on the Will?"

[7] *On Truth* 12.

To the second argument [n. 3] I say that the intention of the joining will does not 14
cause the first vision; rather, intention has the power to join the whole[8]—in one and the same temporal instant—and thus strengthen that vision. But once that first intellection has been achieved, the will can turn to or away from other activities and thus join [the soul's attention to objects] in a variety of ways.[9] Therefore, we should deny the major premise, that no distinct vision can be had without intention joining, unless this joining is understood not to be actually concomitant. And accordingly the claim that discrete vision is temporally prior to all intellection should be denied, although it is prior in nature. Alternatively, if that vision, which is without intellection and intention as concomitants, can exist without the intention of the will joining, then the proposition "discrete vision cannot exist without intention joining" should be denied absolutely. And denying it is not contrary to Augustine: for he holds that the will can turn the gaze [of the mind] toward an object and tend toward the object, but he does not hold that no vision can take place unless the will thus tends and turns.[10]

To the last argument[11] [n. 5] I say that comparing in the mode of judgment, like 15
understanding, belongs to the intellect alone. But relating by using—that is, by ordering one object of love to another—belongs to the will. For just as the will is reflexive because it is immaterial, so too it is, in its own way, comparative or capable of relating [one thing to another].

[8] "the whole" = vision and the thing seen.
[9] Cf. Augustine, *On the Trinity* XI.4.7.
[10] Augustine, *On the Trinity* XI.3.6.
[11] No response is given to the third argument [n. 4].

18

Ordinatio II, d. 39, qq. 1–2

"Is synderesis in the will?"
"Is conscience in the will?"

Question 1: "Is synderesis in the will?"

1 Concerning distinction 39 I inquire into conscience and synderesis. I ask first whether synderesis is in the will.

2 Arguments for the affirmative:

Synderesis always recoils from evil;[1] recoiling is something the will does; therefore, etc.

3 Furthermore, the will necessarily wills advantages: as Anselm says in *De concordia* 3.13, "The will cannot fail to will advantages."[2] Therefore, it equally necessarily wills justice, since justice is a perfection that is every bit as suitable to the will as advantage is. But that by which human beings are necessarily inclined to justice is identified as synderesis.[3] Therefore, there is something in the will that can be identified as synderesis.

4 Also, natural will necessarily wills that toward which it tends, as is evident from *On the Trinity* XIII.5.8, where Augustine holds that "it is certain that everyone wills happiness on account of a natural inclination toward happiness." That could not be certain unless the will itself necessarily willed happiness. Therefore, what is naturally willed is willed necessarily. Now justice is something willed naturally by the will, since justice is every bit as much a natural perfection for the will as advantage is; therefore, it is willed necessarily. Therefore, something identified as a necessary principle of inclining the will to justice should be posited in the will; this is synderesis; therefore, etc.

[1] Cf. Bonaventure, *Sent*. II d. 39 a. 2 q. 3 in corp.; Thomas Aquinas, *De veritate* q. 16 a. 3 in corp.

[2] In this question, "fail to will" consistently translates *non velle*, "not will." *Non velle* indicates a (voluntary) withholding or refraining from willing, as opposed to *nolle*, which is not an absence of willing but a positive act of willing-against, refusal, or rejection.

[3] Bonaventure, *Sent*. II d. 39 a. 2 q. 1; Thomas Aquinas, *Sent*. II d. 39 q. 3 a. 1 in corp., *De veritate* q. 16 a. 3 in corp.; Richard Middleton, *Sent*. II d. 39 princ. 3 q. 2 in corp.

Also, an inferior nature—for example, an irrational nature—has a principle of tending necessarily to that which is rightly suited to it according to its nature. Therefore, the will also has a principle of necessarily tending toward justice, which is suited to the will in virtue of its nature. 5

The Master holds the negative in the text, citing Jerome's claim in his commentary on Ezekiel that synderesis is the higher part of reason.[4] So synderesis is in the higher part of reason, and therefore in the intellect, which tends toward contemplation. 6

Question 2: "Is conscience in the will?"

Second, I ask whether conscience is in the will. 7

Arguments for the affirmative: 8

The Letter to the Hebrews speaks of "a good conscience."[5] Goodness belongs to the will; therefore, so does conscience.

Furthermore, if conscience were in the intellect, someone who was more knowledgeable in the domain of action would be more conscientious. The consequent is false; therefore, so is the antecedent.[6] 9

Arguments for the negative: 10

Ecclesiastes 7:23: "For your conscience knows that you have cursed others,"[7] etc.

This is also evident from the acts of conscience, which are bearing witness, accusing, judging, etc.,[8] all of which belong to reason and intellect. Therefore, etc. 11

I. Reply to both questions

A. Henry of Ghent's view

One view is that the law of nature contains the natural principles for acting. See Henry, *Quodlibet* I, q. 18. 12

I argue against this. 13

First, I argue against what he says about synderesis. If synderesis has an elicited act necessarily tending toward good and resisting evil, and there is no such thing in the will, it follows that synderesis is not in the will. Proof of the premise: I showed in Book I, distinction 1 [nn. 80, 143–6], that when an end is presented, the will does not necessarily enjoy it; nor can any capacity or power or habit in the will be a principle

[4] Peter Lombard, *Sent*. II d. 39 c. 3 n. 3, citing Jerome, *In Ezechielem proph*. I.1, 6–7.
[5] Hebrews 13:18, "We are sure that we have a good conscience, willing to act well in all things."
[6] Cf. Henry of Ghent, *Quodl*. I q. 18 in corp.
[7] "others": reading *aliis* with S, to conform to the Vulgate text, against the edition's *ei*, "him."
[8] Cf. Thomas Aquinas, *ST* I q. 79 a. 13 in corp.

of necessarily enjoying [an end]; therefore, neither can any such thing be a necessary principle of willing in accordance with practical principles, which are taken from the end.

14 Furthermore, if there were some such capacity or power or portion in the will that by an elicited act necessarily tended toward good and resisted evil, it would be supreme in the will as a whole, since the will itself has to do with the ultimate end, from which the first practical principles are taken. Therefore, any inferior power or portion of the will would be under the control of this supreme power, in such a way that when the supreme power moved, the inferior portion or power would obey it and move in conformity with it. Therefore, the supreme power would prevent any sin in the will, since, being itself moved necessarily, it would move the whole will necessarily—for the whole will would be moved as it is moved. And if the whole will were right, there would be no sin.

15 I also argue against what he says about conscience. First, an appetitive habit is not generated from a single act, but conscience is [generated] from a single practical syllogism manifestly deducing some conclusion from first practical principles. Therefore, conscience is not an acquired appetitive habit. It is also evident that conscience is not innate, or a portion, or a power.

16 Furthermore, what is apt to be caused by a certain cause cannot be caused by another cause unless the latter virtually contains the perfection of the former. A habit of the will is apt to be caused by an act of the will as its proper cause; therefore, it cannot be caused by another act unless that act virtually contains in itself an act of the will. But an act of the intellect does not virtually contain in itself an act of the will, according to him,[9] because an act of the will is more perfect. Therefore, the intellect cannot, by an act of its own, cause a "weight" in the will of a sort that is a quasi-habit of the will.[10]

17 Furthermore, either the will can fail to receive that weight, in which case the intellect is not a sufficient cause of that weight—for when a receptive patient is in the required proximity to a sufficiently acting cause, the effect follows[11]—or else it cannot fail to receive it, in which case, as long as reason is actually considering [its object], the will cannot overthrow that weight, since reason has no less necessity in causing this weight than in conserving it.

18 Furthermore, either it is necessary that the will act in accordance with this weight that has been given to it, or it is not. If it is necessary, the will is not free, because the agent cause of this weight is a natural cause; therefore, its effect is also a natural form; therefore, something that necessarily acts in accordance with this weight does not

[9] Henry of Ghent, *Quodl.* I q. 14 in corp.

[10] Scotus takes the idea of a "weight" in the will that functions as a habit from Henry of Ghent, *Quodl.* IX q. 5 in corp.

[11] Reading *sequitur* (VYOQ) for the edition's *est*, "exists."

act freely, since it is not in its power to act accordingly and to act otherwise. If it is not necessary that the will act in accordance with this weight—as is manifestly the Apostle's view, as we see in the Gloss on Romans, "Whatever is contrary to conscience," etc., from which it is evident that sin can be committed against conscience[12]—then it follows that even if conscience remains perfect, the will can will the opposite of what conscience dictates; and thus this habit would never be corrupted by an act of the will, which is evidently absurd given the claim that it is a habit of the will.

B. Scotus's answer

Answers to these questions: 19

If synderesis is supposed to be something that has an elicited act that always tends toward a just act and resists sin, then, since there is nothing in the will that fits this description, synderesis cannot be posited in the will; therefore, it is in the intellect. And it cannot be identified as anything other than the habit of principles, which is always correct, because in virtue of the terms, by the power of the natural light of the intellect, the intellect assents to them straightaway; and then, as far as it is up to the intellect, free choice is apt to will in conformity with those principles, although insofar as the remaining partial cause falls short, it does not will freely,[13] since there is no necessitating cause there.

In keeping with this, conscience can be identified as the proper habit of a practical 20
conclusion such that correct choice in matters of action is apt to be conformed to the act of that habit. And thus it is said to incite one to what is good insofar as free choice as a whole has one partial cause rightly disposed, and correct and good volition follows unless the other partial cause that concurs [in free choice]—namely, the will[14]—falls short.

II. Replies to the preliminary arguments of question 1

To the first argument [n. 2] I say that synderesis recoils by way of showing, in that it 21
shows that what is good is to be willed, and in this there is an occasion for recoiling from what is bad.

To the next argument [n. 3] I say that the will, which is a power that acts freely, does 22
not necessarily will advantage, just as it also does not necessarily will what is just, in an elicited act. Yet if this one power were considered as it has the affection for

[12] Romans 14:23: "But everything that is not from faith is sin"; Gloss: "What is done contrary to faith, that is, what is believed to be contrary to conscience, is bad."

[13] This is awkwardly expressed: take "it does not will freely" not as "it wills, but does not will freely" but rather as "it does not will, and is free in not willing." This is (to put it mildly) not the most obvious reading of either the Latin or the English, but it is what the sense (along with Scotus's consistent teaching) requires.

[14] Reading *defectus alterius causae partialis concurrentis, scilicet voluntatis* (Q) for the edition's *defectus alterius causae partialis, concurrentis respectu voluntatis.*

advantage and not the affection for justice—that is, as a non-free appetite—it would not be in the will's power to fail to will advantages in this way, because it would be strictly the natural appetite of an intellectual nature in just the way that the appetite of a non-rational animal is the natural appetite of a sensory nature.

23 I therefore say that Anselm's claim that the will cannot fail to will advantages should be understood not as speaking of the whole power, which in fact can freely fail to will not only advantages but also things that are just, since it can freely both will and fail to will[15] both advantages and just things. Rather, it should be understood to be true of the will insofar as it is affected strictly by the affection for the advantageous, that is, of the will as regarded as such an appetite, not including freedom in such an appetite. But as such the will does not elicit any act in us. That is why I said in my answer, "if synderesis is something that has an elicited act" [n. 19].

24 On this same basis I reply to the third argument [n. 4] that natural will, as it naturally tends toward what is willed, does not have an elicited act regarding what is willed; rather, natural will is just a certain inclination in such a nature to the perfection that is most suited to it. This inclination is necessarily in the nature, although an act conforming to this inclination and nature is not elicited necessarily. For an act—whether it is an act that conforms to this inclination and so is called "natural" or one that opposes it and so is called "contrary to nature"—is not elicited except by a free will. However much the will wills the opposite of that to which it has an inclination, the inclination to that object is no less necessary; for as long as the nature is intact, so is that inclination.

25 To the last argument [n. 5] I say that this nature alone is free and has a mode of acting that is higher than that of any other created nature.

III. Replies to the preliminary arguments of question 2

26 To the arguments of the second question:

To the first argument [n. 8] I say that habits of the practical intellect are called good or bad on account of their suitability to the will, just as, conversely, the will can be called correct or wrong on account of its suitability to a correct or incorrect speculative act, which is formally in the intellect. Nonetheless, goodness belongs to the will just as correctness belongs to the intellect, but goodness is extended more to the practical than to the speculative intellect.

27 A reply to the other argument [n. 9] can be made on the basis of what the Philosopher says in *Ethics* VII [1147a19–22]: those who are experiencing passions say the words of Empedocles but do not at all know [what they are saying]. And thus

[15] "both will and fail to will" = *velle et non velle*. Only Q adds *velle et*, but the second clause is obviously redundant without it.

it can be conceded that someone who in an unqualified sense has practical knowledge and is not merely "saying the words" is conscientious; and the more he has such knowledge, the more conscientious he is. The one whose view I disproved earlier would seem to be especially committed to saying this, since according to him[16] reason is blinded in the very instant of time in which the will is bad; thus, even if conscience belongs to the will, no one has less conscience. Therefore, the argument applies equally to both sides of the debate, and it can be answered in the way I explained above.

[16] Henry of Ghent, *Quodl.* I q. 17 ad arg.

19

Ordinatio II, d. 40, q. un.

"Is every act good in virtue of its end?"

1 Regarding distinction 40, I ask whether every act is good in virtue of its end.

2 For the affirmative:

Augustine, *Exposition on Psalm 31*, as cited in the text of the *Sentences*: "The intention makes the act good."[1]

3 Furthermore, an act of understanding is true in virtue of the principle. Now the end is in acting what the principle is in understanding. Therefore, etc.

4 Also, the goodness of an act is from a single cause, and no other cause can be given but the end. Therefore, etc.

5 On the contrary:

Augustine says in *Against Lying* (and this is cited in the text of the *Sentences*) that many acts cannot be good, even if they are done for the sake of a good end.[2]

I. Reply to the question

6 I reply, we must speak first about natural goodness and second about moral goodness.

7 As to the first, I say that just as beauty in a body is a result of the aggregation of all the features that are suitable to that body and to each other—for example, quantity, color, and figure—as Augustine claims in *On the Trinity* VIII.3.4 ("a good face," etc.), so natural goodness—not that which is coextensive with being, but that which has badness as its opposite—is a thing's secondary perfection, made complete through all the features that are suitable to it and to each other. When all those features are present together, there is perfect goodness, in accordance with the dictum of Dionysius, "The good is from a perfect and complete cause."[3] When all those features are lacking, but the nature that is apt to be perfected by them remains, it is altogether

[1] Augustine, *Enarrat. in Psalmos* ps. 31 enarratio 2 n. 4; Peter Lombard, *Sent.* II d. 40 c. un. n. 2.
[2] Augustine, *Contra mendacium* 7.18; Peter Lombard, *Sent.* II d. 40 c. un. n. 7.
[3] Ps.-Dionysius, *De div. nom* c. 4.

bad. When just some of them are taken away, the nature is bad, but not altogether so, as is true also of beauty and ugliness in a body. Now a natural act is apt to be suitable to its efficient cause, its object, its end, and its form. It is therefore naturally good when it has all the suitable features that are apt to concur in its being.

As to the second, I say that the moral goodness of an act is from the aggregation of all the features that are suitable to the act, not absolutely, in virtue of its nature, but according to right reason. Therefore, since right reason dictates that a determinate object, a determinate mode, and the other circumstances must be suitable to the act, complete goodness does not come from the end alone. 8

In fact, the first aspect of its goodness is from the act's suitability to its efficient cause. It is in virtue of its efficient cause—because it is elicited freely—that an act is called "moral." This is common to good and bad acts: indeed, no act deserves either praise or reproach unless it is from the will. The second condition is from the object. If the object is suitable, the act is generically good. This generic goodness is indifferent with respect to further goodnesses, which are derived from the special circumstances, just as a genus is indifferent with respect to a number of differences. 9

After the object, the first circumstance is the end. Nor does the end suffice without the other circumstances, such as the circumstance of the form (say, that the act is performed in the requisite manner, which pertains to the fourth circumstance). Then come the more extrinsic circumstances, namely the when and where. 10

It is therefore evident that solely the goodness of the end, even as intended in accordance with right reason, is not sufficient for the goodness of the act; rather, the other circumstances are required, in the aforesaid order, if the act is to be good. 11

II. Replies to the preliminary arguments

The reply to the argument from Augustine [n. 2] is evident from the passage cited from him in support of the opposite view [n. 5]. Even if the end is a more important condition pertaining to the goodness of the act, it is nevertheless not sufficient, speaking unqualifiedly.[4] As for meritorious goodness, which adds something over and above moral goodness, it does come principally from the end, since (presupposing complete moral goodness) meritorious goodness is added in virtue of the requisite relation of the act to the end, which requisite relation comes about insofar as the act is elicited by charity. In this way one can interpret the authorities as teaching that *meritorious* goodness is from the end. 12

[4] Reading *non tamen est sufficiens simpliciter loquendo. De bonitate meriti* (VYOQ, with Q adding *Etiam* before *de*). The edition has *non tamen est sufficiens; et simpliciter loquendo de bonitate meriti.*

13 To the second argument [n. 2] I say that the efficient cause of an act of understanding—that which is on the part of an act of understanding—acts naturally and cannot act in different ways with respect to the same object.[5] Therefore, it always acts correctly. But the will does not always act conformably to its object, since it is a free cause, not a natural cause. Therefore, when there is correctness in an act of understanding on the part of the principle that moves the intellect, the whole act is correct; but that is not the case in an act of will [when there is goodness] on the part of the end [that moves the will].

14 As to the third argument [n. 4], I say that this one goodness integrates in itself all the perfections that are suitable to the act, and that it is not a unitary thing, just as beauty in a body is not a unitary thing.

[5] Y omits the material between the dashes; Q reads "that which is on the part of the intellect or a habit of the intellect."

20

Ordinatio II, d. 41, q. un.

"Can any act of ours be indifferent?"

Concerning distinction 41 I ask whether any act of ours can be indifferent. 1

Arguments for the negative: 2

There is nothing intermediate between possession and privation; good and bad are privatively opposed; therefore, etc. The major premise is evident, because as we read in *Metaphysics* X [1055b1–6], things opposed privatively are opposed as contradictories with respect to that which they are apt to qualify; and according to *Metaphysics* IV [1011b23–4], there is no intermediate between contradictories. Therefore, etc.

Furthermore, a habit is generated from acts. Therefore, if there were something intermediate between a good act and a bad act, there would be a habit that would be neither good nor bad. 3

On the contrary: 4

Ambrose, in the text: "Your affection gives its name to your act."[1] But if no act were intrinsically indifferent, it would not be possible for some feature to make an act good in its own right and some other feature to make it bad.[2]

I. Reply to the question

One view on this question[3] is that no individual act is indifferent, but an act-type (*actus in communi*) is indifferent. Look this up in Bonaventure. 5

But in fact there can be an indifferent individual act, both in terms of moral goodness and badness and in terms of meritorious goodness and demeritorious badness. 6

[1] Ambrose, *De officiis* I.30.147; Peter Lombard, *Sent*. II d. 40 c. un. n. 2.

[2] Reading *non posset ex uno esse bonus per se et ex alio malus* (Q) for the edition's *non posset ex uno actu esse bonus per se et ex alio malus*. Both the quotation from Ambrose and the argument built on it require Q's reading: it is not that an indifferent act can be made good by one *act*, bad by another, but that it can be good in virtue of some *x* or bad in virtue of some *y*. I use 'feature' as a sufficiently non-committal noun (the Latin has no noun at all, but English requires one).

[3] Bonaventure, *Sent*. II d. 41 a. 1 q. 3 in corp.; Thomas Aquinas, *De malo* q. 2 a. 5 in corp., *Sent*. II d. 40 q. 1 a. 5, *ST* I-II q. 18 a. 9 in corp.

In the case of moral goodness and badness, with reference to a natural act, an indifferent act can evidently be found, one that has a determinate species in a genus of nature by reference to all its causes and yet could be indifferent with respect to moral goodness and badness.

7 Proof:

First, according to the Philosopher in *Ethics* II [1103a31–1103b8], the habit of justice is generated from just acts, though not from acts done justly; such an act is not morally good, because it is not from virtue.

8 A similar case can be made for acts elicited after virtue has been acquired, since it is not evidently necessary that a will that has virtue necessarily always uses it, but only when a passion arises that is so forceful that it would subvert reason unless the will used virtue.

9 And in the case of meritorious goodness and badness, there is evidently something intermediate between a good act and a bad act. For given moral goodness (as discussed in the previous question [d. 40, nn. 8–9]), merit evidently derives from a relation to the appropriate end, and that relation comes about through charity that exists in the agent.

10 Now an act can be referred through charity to the appropriate end in three ways: (1) actually, as when someone who is actually thinking about the end loves it and wills something for its sake; (2) virtually, as when someone proceeds to a volition of something for the end in virtue of cognition and love of the end—for example, in virtue of cognition and love of God that belongs to the higher part, the lower part considers that such-and-such an act (say, an act of penance) is to be taken on, and then later the person carries out that act by willing it but does not at that time refer the act to the end, since at that time he is not actually cognizing or loving the end; (3) habitually, as every act that can be referred to the end, coexisting with charity (which is the principle of referring an act) is said to be referred habitually.

11 There are also three ways in which an act can be said not to be referred: (a) purely negatively, in that it is not referred either actually or virtually;[4] (b) privatively, in that it is not apt to be referred—as is the case in venial sin, since although it is compatible with charity, it is not apt to be referred by charity to the end; (c) contrarily, in that it corrupts the principle of referring, namely charity, as mortal sin does.

12 There is no doubt that acts that fall under (b) and (c), namely venial sins and mortal sins, are bad; and there is no doubt that acts falling under (1) are meritorious, and it is quite probable that acts falling under (2) are as well.

[4] Q alone reads "virtually" (the edition and the other MSS all have "habitually"), but it is clear from nn. 13–14 that "virtually" is the correct reading. Oddly, in n. 14, where again Q alone reads "virtually," the edition follows Q and notes, "In place of 'virtually' nearly all the codices erroneously read 'habitually.'"

But as for an act falling under (3) and (a)—namely, an act that is referred only habitually and negatively, one that is not referred either actually or virtually—it is not quite clear whether such an act (i) is meritorious or, if it is not, whether (ii) it is a venial sin (clearly it is not a mortal sin) or (iii) if such an act is indifferent. If one accepts either (i) or (ii), it evidently follows that a human being who is continuously in a state of grace is continuously either meriting or sinning mortally (or at least venially), since he is continuously eliciting many such acts that are not referred either actually or virtually. 13

It seems probable, then, that such acts should be identified as indifferent, since they do not have enough of the aspect of badness that characterizes venial sin, since it is possible for them not to be sufficiently disordered to count as sin. For human beings are not obligated—either by necessary obligation, against which there is mortal sin, or by lesser obligation, against which there is venial sin—always to refer all their acts to God actually or virtually, because God has not imposed that obligation on us. Nor do those acts seem to have enough of the aspect of goodness to be meritorious, since any referring short of virtual referring is evidently not enough for merit, and that sort of referring is not present in this case. 14

So there are many indifferent acts, not merely according to the being that they have in a species of nature, but also according to their moral being; and they are indifferent to meritorious goodness and demeritorious badness, since one individual act can be good and another bad. 15

And many individual elicited acts are indifferent, since they are neither good nor bad. And this is true not only of acts that are not human acts, which is not what we're talking about here (such as stroking one's beard, picking up a stick, and suchlike acts, which proceed from imagination alone and not from any impetus on the part of free choice), but also of freely elicited acts. 16

II. Replies to the preliminary arguments

Replies to the arguments: 17

To the first argument [n. 2] I say that good and bad are not privatively opposed with respect to an act, and that is the case both for moral goodness and badness and for meritorious goodness and demeritorious badness. For an act is not bad solely in virtue of lacking this or that sort of goodness, but because it lacks the goodness that it ought to have; and not every act ought to have this or that sort of goodness.

To the second argument [n. 3] I say that a similar habit is generated from similar acts, and thus an entirely similar habit that inclines immovably to entirely similar acts can be generated from many indifferent acts. And yet it does not incline to them either as good or as bad, just as the habit in itself is neither good nor bad and is not generated from good or bad acts. The "absurd" conclusion of this argument is not absurd at all; indeed, one should concede that the conclusion is true. 18

21

Ordinatio II, d. 42, q. un.

"Are the capital sins distinct?"

1 Concerning distinction 42 one could ask about the distinction of the seven capital sins, but the answer to this question is evident from distinction 6 of this Book, where we investigated the sin of the angel.[1] For a will conjoined to a sensory appetite is apt to tend toward things that delight the sensory appetite, and to tend especially toward those things that are especially delightful and desirable to a more excellent appetite,[2] just as an intellect conjoined [to sense] is apt to understand sensibles, and to understand in a prior way those things that are sensible in a prior way.

2 Therefore, our will, because it is conjoined with a sensory appetite, is apt to tend toward things that delight the sensory appetite, and the carnal capital sins can be assigned on the basis of those delightful things, whereas spiritual capital sins can be assigned on the basis of what is delightful to the will in itself, not through the sensory appetite. Now the sin of avarice clearly can concern only what is desirable because it is useful, which is ordered to what is desirable in its own right in one of the other ways we have discussed, that is, to either pleasure or honor.

3 But in terms of the formal character of sins, this sevenfold division is not adequate. Rather, a per se distinction of sins would have to be based on deficiency[3] or on the commandments they violate (thus, there would be ten capital sins corresponding to the ten primary commandments) or on the virtues they oppose. This was explained in distinction 6, as I mentioned above.

[1] Cf. Scotus, *Ordinatio* II d. 6 n. 73.

[2] "a more excellent appetite" is puzzling: the claim should surely be that a will conjoined to a sensory appetite tends especially toward those things that are especially delightful to the *sensory* appetite, for that claim is a natural extension of what is said in the first part of the sentence and also is properly parallel to what comes next. A more excellent appetite (more excellent, presumably, than the sensory appetite) would be intellectual appetite as such or the will itself (as free), and it simply doesn't make sense for Scotus to be arguing here that a will conjoined to a sensory appetite tends especially toward things that are delightful to an intellectual appetite or to the will as free. Q alone adds "sensory" here, but like all the other MSS it also has "more excellent." One could perhaps take "a more excellent sensory appetite" as meaning something like "sensory appetite as directed to its most desirable/excellent objects," and then the argument would make sense.

[3] "deficiency" (*carentia*): presumably he means that one could distinguish formally different sins on the basis of the formally different deficiencies in virtue of which they are sins.

22

Ordinatio II, d. 43, q. un.

"Can a created will sin *ex malitia*?"

Concerning distinction 43 I ask whether a created will can sin *ex malitia*,[1] by willing something not presented to it either as a genuine good (as unqualifiedly good) or as an apparent good (as good in a certain respect). 1

I. The view of others

The usual answer[2] is no, on the authority of Dionysius, *On the Divine Names* 4: "No one acts with a view toward evil." 2

But on the contrary: it seems that if this were true, a created will would not be able to tend toward an object under an aspect under which the divine will would not be able to tend toward it. For the divine will can tend toward any good that underlies a deformity, although it cannot tend toward the aspect of evil that is concomitant with that good. One might concede that whatever can be willed by one will can be willed by any other will, since every will has an equally general object, but not concede that what is *ordinately* willed by one will is ordinately willed by another, since willing is not ordinate because of the object alone, but because of the suitability of the act and the object to that power. For a given act concerning a given object can be suitable to one will but not suitable to another. 3

[1] *ex malitia*: translators almost always render this phrase as "from malice," but that is a mistake. 'Malice' in English means "the intention or desire to do evil or cause injury to another person" (*OED*), but to sin *ex malitia* is not (necessarily) to sin from such a desire. *Malitia* is simply the abstract noun formed from *malus*, "bad," and thus means "badness, evil." Thus, to sin *ex malitia* is to sin "in virtue of evil" or "on the basis of evil." In this question Scotus considers two possible senses of sinning *ex malitia*: sinning by choosing what is evil qua evil, and sinning by choosing evil (though not qua evil) without any passion or ignorance prompting one to choose it. We have no expression in English that can do duty for both of these possibilities, so I have left the phrase untranslated. ("From badness" would preserve the desired parallel with "from weakness" and "from ignorance," but I can't convince myself that "a sin from badness" has any identifiable meaning in English.)

[2] Bonaventure, *Sent*. II d. 34 a. 1 q. 3 arg. 2 and in corp.; Thomas Aquinas, *ST* I-II q. 78 a. 1 arg. 2 and in corp., *De malo* q. 3 a. 12 arg. 1 and in corp. and ad 1, *Sent*. II d. 43 q. 1 a. 1 arg. 1 and ad 1; Richard Middleton, *Sent*. II d. 34 princ. 2 q. 3 in corp.

4 There is another way to argue against this view. Hatred for God is apprehended by some created intellective power that is not in error and consequently does not present hatred for God as good, but only as evil. If the will can will this, my point is made, because there is no goodness in this act prior to the act of willing itself. (For if it is assigned some goodness on account of the act of willing, this is not in the object as it precedes the act, but rather in the object as it follows the act of willing.) If the will cannot will this thing, which is presented as evil, except under some aspect of good and not-evil, then either the will unqualifiedly cannot will this or else a blinding of reason must be naturally prior [to this willing]—which seems untenable and is contrary to the argument in *Ethics* VII [1147a24–33] about acting contrary to universal and particular reason.

II. Scotus's view

5 If one answers this question in the affirmative, it is easy to distinguish a sin against the Holy Spirit from other sins. For because the will is conjoined to a sensory appetite, it is apt to take pleasure in what is pleasurable to the sensory appetite; and thus, someone sinning efficaciously from an inclination of the sensory appetite toward what is pleasurable to it sins from passion. This is called a "sin from weakness or lack of power" and is by appropriation a sin against the Father, to whom power is appropriated. The will also acts on the basis of intellectual cognition, and so when it fails to will rightly because reason is in error, the sin on the will's part that results from reason's error is called a "sin from ignorance" and is by appropriation a sin against the Son, to whom wisdom is appropriated. The third kind of sin would be a sin of the will as such, in virtue of its own freedom rather than in virtue of its sharing the pleasure of the sensory appetite or in virtue of an error on the part of reason. This would be a sin *ex malitia* and so by appropriation a sin against the Holy Spirit, to whom goodness is appropriated.

6 Nonetheless, even if one does not hold that a created will can will evil qua evil, one could still identify a sin *ex malitia*: when the will sins in virtue of its own freedom, without any passion in the sensory appetite or error in reason. For in such a case the notion of sin is most fully exemplified, since there is nothing other than the will enticing the will to evil. Such a sin would be *ex malitia* because the evil in that sin would be as perfect and complete as evil can be in a sin, because the will chooses for itself to will evil in virtue of its sheer freedom and without any motive or explanation[3] external to itself, though it would not be *ex malitia* in the sense that the sinning will would tend toward evil qua evil.

[3] "motive or explanation": *occasio*.

23

Ordinatio II, d. 44, q. un.

"Is the power for sinning from God?"

Concerning distinction 44 I ask whether the power for sinning is from God. 1

It seems that it is not: 2

According to Anselm in *On Freedom of Choice* 1, "the power to sin is neither freedom nor a part of freedom." Therefore, the power for sinning is not from God in virtue of the fact that free choice is from God. But neither is it from God in virtue of the fact that something other than free choice is from God. Therefore, it is not from God in any way.

On the contrary: 3

In the text the Master cites authorities for the claim that the power to sin is from God.[1]

I. Reply to the question

Reply: 4

"The power for sinning" means either (1) an immediate order to an act of sinning or (2) the foundation of this order, in virtue of which someone who has this foundation is said to have the power to sin.

If we take it in the first way (1), it is an order either (a) to the underlying act or (b) to the deformity that is in the act. If (a), that order is from God, as both extremes of the order are. And God too has power with respect to the underlying act, because he, and not only the created will, causes it, according to one view.[2] If (b), that order toward sinning is nothing, just as its terminus is nothing, and so it is not from God. 5

[1] Peter Lombard, *Sent*. II d. 44 c. 1 n. 3.

[2] Namely, Scotus's own view. He holds that God acts along with created wills in all their acts, contrary to the view of Peter John Olivi, who held that a created will is the total cause of its own volition. Cf. *Ordinatio* II dd. 34–7 n. 97, nn. 119–23.

6 But if we are speaking of the foundation of that order (2), I say that something positive is the foundation of that order, taken in either way. For just as in passive powers the same thing is the proximate subject of both possession and privation, so too a free active power that is capable of falling short is the immediate subject of opposites in acting [rightly] and in falling short: for in acting [rightly] it is the subject of rectitude and in falling short it is the subject of sin. And this absolute item is the proper power with respect to both, in such a way that the power regards both, one as efficient cause and the other as deficient cause. It is in this way that the power for sinning is from God: that is, the nature that has this has the power to sin. It has the power to sin not as efficient cause but as deficient cause; but this positive feature is the proximate cause of its falling short.

7 Someone might object that the will always falls short insofar as it is created from nothing, not through anything positive in the will. I reply that being capable of falling short—that is, being capable of turning into nothing—is for every creature a consequence of the fact that it is created from nothing. But to be capable of falling short in this particular way, by sinning, is distinctive of this nature; it is a consequence, for this particular creature, of the fact that this specific nature can be a principle of opposites, by acting [rightly] and by falling short.

II. Reply to the preliminary argument

8 To the argument from Anselm [n. 2] I say that freedom, taken absolutely, is an unqualified perfection. Hence it is formally attributed to God, according to him.[3] Freedom in us is limited. It can, however, be considered in terms of its formal notion, without that limitation; so considered it is not a limited perfection but an unqualified perfection. (Example: wisdom is an unqualified perfection, and its notion, taken absolutely, is also in us, and not only taken absolutely, but with limitation. Thus, our wisdom includes two things, one of which is an unqualified perfection and the other of which is not, but includes that unqualified perfection.) Thus I say that this will of this species, which is in us, includes freedom, which is an unqualified perfection; but it does not include that alone, but with a limitation, and that limitation is not an unqualified perfection. It is not freedom as an unqualified perfection, but rather freedom as including limitation, that both accounts for the fact that the power to sin characterizes such a will and also is the proximate foundation of the will's ordering toward actually falling short.

9 So the authoritative passage from Anselm should be interpreted as saying that the power to sin is not a part of freedom *as freedom is an unqualified perfection*, and that is all that his argument from the claim that the power to sin is not in God establishes.

[3] Anselm, *Monologion* 15.

By contrast, if "created freedom" is understood in terms of its order, then the power to sin is not a part of it; but as referring to the proximate foundation of this order, the power to sin is a part of it. Now in any way in which this power is a positive being, it is from God, "for from him and in him and through him are all things: to him be honor and glory for ever and ever. Amen."[4]

[4] Romans 11:36.

24

Ordinatio III, d. 17, q. un.

"Were there two wills in Christ?"

1 Concerning distinction 17 I ask whether there were two wills in Christ.

2 Arguments that there were not two wills in him:

First, every will is in control of its own act. Now if there were two wills in Christ, one of them would not be a will, because it would not be in control of its own act. Proof: a power that follows the movement of another power is not in control of its own act, since following another power in this way means that it is not in control of its own act but instead is subordinate to another with respect to its own act. Now if there is a created will in Christ, its act follows a movement of the Word's uncreated will, since it was the Word who performed the activity of the human nature [united with the Word]. Therefore, etc.

3 Second, granting that there are two wills in Christ, there is an argument that there are not only two: for since there is a free will in him that follows the created intellect, and in addition to this a natural will—for free will and natural will have opposite ways of being drawn to or tending toward their objects—it follows that there are two created wills in him; and there is also an uncreated will in him. Therefore, etc.

4 On the contrary:

He had only two intellects: an uncreated and a created intellect. Therefore, he likewise had only two wills.

I. Reply to the question

5 Damascene answers this question in chapter 60,[1] where he says that just as according to the faith it must be firmly held that in Christ there are two natures and one hypostasis, so too one ought to grant, as a consequence of this, that the natural properties and powers of both natures are in Christ. Now the supremely perfect powers of a rational nature are intellect and will; hence, there is a created intellect and a created will in Christ.

[1] Damascene, *De fide orthodoxa* c. 58.

Also, in distinction 13 [nn. 53–4, 87] I held that there was supreme created grace and supreme created enjoyment in Christ, and in distinction 14 [nn. 58, 67–70] I held that there was all knowledge and supreme vision in him by reason of the assumed nature.[2] 6

Therefore, since cognition and enjoyment[3] presuppose intellect and will, one must affirm both powers, disposed in the best possible way, in Christ. And thus there is a created will in Christ. 8

But is there only one created will in Christ? 9

I say that 'will' can be taken either according to its proper notion or under a general notion and name, namely, as appetite. If it is taken generally, there were at least three appetites in Christ: an uncreated intellectual appetite, a created rational appetite, and a created non-rational (that is, sensory) appetite. But 'will' in its proper sense adds something to appetite, because a will is a free appetite associated with reason. Thus, understanding 'will' in the strict sense, there were only two wills in Christ.

But, speaking more generally, taking 'will' as appetite, I think that there were in Christ, as there are in us, as many appetites as there are distinct apprehensive powers. Thus, just as taste and sight, touch and smell, are distinct sorts of apprehension, so too there is a distinct proper power of appetite corresponding to each of them and a distinct proper pleasure consequent upon each distinct sort of apprehension.[4] 10

Typically, though, we speak of the sensory appetite as a single appetite: it is the one that follows the imaginative power. For just as the imaginative power imagines the objects of all the senses, both in their presence and in their absence, so too its appetite takes pleasure in them if they are suitable or is sorrowful about them if they are unsuitable. Now even though the imaginative power can thus imagine objects of all the senses, both in their presence and in their absence, we still affirm particular senses that apprehend their particular, distinct objects; and in the same way, even though the appetite that is consequent upon the imaginative power can desire and rejoice in whatever is suitable to any particular sense and can not-desire and be sorrowful about whatever is unsuitable, we should also affirm, in addition to it,[5] distinct particular appetites consequent upon distinct particular apprehensions or distinct 11

[2] The edition, following AS, adds:

> The church affirms the same thing in its sixth synod, determining that in Christ there are two wills and activities, in the *Decretum*, distinction 16, at "I have a book containing the canons," and distinction 16, in the chapter that begins "The sixth synod, held in Constantinople." 7

(The references are to Gratian, *Decretum* pars 1 d. 16 c. 6 and c. 9.) Since the text of nn. 6 and 8 forms a continuous argument, the editors' decision to interrupt it with the poorly attested text in n. 7 is puzzling.

[3] Reading *cognitio et fruitio praesupponant* (BNYQ) for the edition's *cognitio praesupponat*.

[4] Alternatively, reading with Q: "Thus, just as taste, sight, touch, and smell are distinct sorts of apprehension, so too there is a distinct sort of inclination and pleasure consequent upon each apprehension."

[5] Reading *praeter illam* (NYQ) for the edition's *pari ratione*.

apprehensive powers; and there is the same necessity for affirming distinct appetites as there is for affirming distinct apprehensive powers.

12 But what about natural will and free will? Are they two powers?

13 I say that 'natural appetite' is taken as a general name for the natural inclination in each thing to its proper perfection. For example, a stone is inclined to the center; and if that inclination in the stone is something absolute, distinct from its weight, then I believe as a consequence that the natural inclination of a human being as such to his proper perfection is likewise something distinct from the free will. But in fact I think the first claim—that the stone's inclination to the center is something absolute, distinct from its weight, and a distinct power that has some activity at the center, as some[6] imagine—is false. The activity would be quite odd, since one would not be able to identify a terminus for it, even though it would be a transient action; also, because the center is suitable to it, it would not perform an action to corrupt, or to save, the center, since one could not offer any account of what sort of activity that would be or what its terminus would be, except perhaps for conserving its own *where*—for perhaps its *where* in the center is continuously coming to be, like light in the medium. But if so, that action would not be toward the center,[7] since a *where* is in what is placed and not in what places it, and the center is what places the body that is in the center. So [the stone's natural inclination] does not indicate anything over and above [the stone's] weight except a relation: its inclination *to* the center as to its proper perfection. Accordingly, I say that the same holds for the will: natural will is not will and natural willing is not willing. Rather, 'natural' takes away from both,[8] and it is nothing other than a relation consequent upon the power with respect to its own perfection. Hence, one and the same power is called "natural will" with reference to the relation to its own perfection that is necessarily consequent on the power[9] and "free" according to the proper and intrinsic notion by which[10] it is, specifically, a will.

14 Alternatively, one can say that the will is called "natural" as contrasted with a *supernatural* power or will. Thus, a will is natural when it is in its purely natural state, as contrasted with that same will informed by gifts of grace.

15 And in yet a third way a will is called "natural" insofar as it elicits an act conforming to its natural inclination, which is always to the advantageous, whereas a will is called "free" insofar as it is in the will's power to elicit an act opposed to its natural

[6] Godfrey of Fontaines, *Quodl.* VI q. 1 in corp. and ad 2.

[7] *in centrum*: that is, the action would not have the center as its terminus.

[8] "'natural' takes away from both": *ly 'naturalis' distrahit ab utroque*. For a discussion of determinations that "take away" (*distrahere*), see Walter Burley, *Treatise on the Purity of the Art of Logic*, The Shorter Treatise, Rule 9, 111, trans. Paul Vincent Spade (New Haven: Yale University Press, 2000), 25.

[9] Reading *cum tali respectu necessario consequente ipsam respectu propriae perfectionis* (Q) for the edition's *cum respectu tali necessario consequente ipsam ad perfectionem*.

[10] Reading *qua* (Q) for the edition's *quae*.

inclination just as one conforming to its natural inclination, and not to elicit an act just as to elicit it.[11]

II. Replies to the preliminary arguments

As for the first preliminary argument [n. 2], I concede the major premise, that every will is in control of its own act. As for the claim in the minor premise that a will following the movement of another power is subordinate in its act, not in control of it, I say (as I said elsewhere in the first question of Book III [d. 1 nn. 17, 80–1]) that the Word has no causality over an act of the created will in Christ other than what the whole Trinity has; and therefore the created will in the Word is not deprived of control over its own acts on account of its union with the Word more than if it were not united to the Word. 16

But to respond further to the argument on the basis of the two views discussed in Book II:[12] 17

If the will is the immediate and total cause of its own act, in such a way that its act does not follow the movement of the Trinity causing the will's act along with the will, but instead the Trinity only establishes the will in its first being and leaves it to move itself in its act, so that the Trinity acts in the will's activity only insofar as the Trinity acts to bring about the will's being, as one view has it,[13] then the minor premise—that the will in its activity follows the movement of another power—is false. For although it does follow the movement of another power in being, with respect to its first actuality, it does not follow it with respect to its activity (immediately, I mean).

By contrast, if one were to hold[14] that the will immediately causes its own activity and nonetheless God also causes it immediately along with the will, just as he immediately causes the being of the will, then because (as I have said [n. 16]) the Word has no special activity distinct from the whole Trinity—though the activity of the created will [in Christ] is ascribed to the Word rather than the whole Trinity on account of the union that brings about the exchange of predicates (*communicatio idiomatum*)—I say that the created will in Christ elicits its act as freely, and is as much in control of its act, as my will is, since God acts in the will's activity only if the will acts freely and determines itself to act, in which case God acts along with it. And yet the first freedom and control is not in the created will, but in God's will, which has no other cause cooperating with it in its act; but there is as much freedom in the act of a created will as there can be in a creature.

[11] Reading with Q. The reading in the edition continues thus after 'the advantageous': "and it is as free in eliciting an act conforming [to its natural inclination] as in eliciting an act opposed to it, since it is in the will's power to elicit an act conforming [to its natural inclination] or not to elicit it (a supernatural will [can elicit] only an act conforming [to its natural (?) inclination])."

[12] Scotus expounds the first view in *Ordinatio* II dd. 34–7 nn. 97–107 and the second in nn. 119–23.

[13] Ibid., n. 113.

[14] According to the second view, ibid., nn. 124–8, 142–54.

18 As for the claim in the second argument that free will and natural will are two wills [n. 3], I say that natural will, as such and as natural, is not the will as a power; 'natural will' just implies the inclination of the power to receiving its own perfection, not to acting as such. And thus it is imperfect unless it has the perfection to which that tendency inclines that power. Hence, the natural power does not tend; the natural power *is* the tendency by which the will, which is absolute, tends—passively—toward receiving that perfection. But there is another tendency in that same power as freely and actively tending by eliciting an act. Thus, there is one power and a twofold tendency, active and passive. On that basis I say to the form of the argument that natural will, as far as what the term formally implies is concerned, is not the power or the will, but an inclination of the will and the tendency by which the will tends toward passively receiving perfection.

25

Ordinatio III, d. 27, q. un.

"Is there a theological virtue that inclines one toward loving God above all else?"

Concerning distinction 27 I ask whether there is a theological virtue that inclines one toward loving God above all else. 1

For the negative: 2

If there were such a virtue, it would be a kind of friendship—as is evident from the act, since its act would be an act of loving. But according to the Philosopher in *Ethics* VIII.7 [1157b25–7], there is no friendship toward God, since God is incommensurably greater than everyone else. And his being incommensurably greater makes friendship impossible, according to Aristotle, because friendship exists between parties who are in some way equal.

Also, no virtue moves its possessor toward an act that is impossible for him; and it is impossible for us to love God above all else. 3

This is proved in two ways: 4

First, from what is said in *Ethics* IX.9 [IX.4, 1166a1–2], "Things that are worthy of love for another's sake are measured by those that are worthy of love for one's own sake." Now what is measured does not exceed its measure in measures taken with perfection. Therefore, friendship toward oneself is greater than friendship toward another.

Second, friendship is founded on oneness, and it is impossible for anything to be as much one with a lover as is the lover himself. 5

Also, a third argument on the main point: someone without virtue can love God above all else; therefore, no theological virtue is needed for this purpose. 6

Proof of the antecedent: 7

First, if someone can love God above all else through a habit, he can do so without a habit, because a habit is not what makes it unqualifiedly the case that someone can do something. If it were, it would be a power.

8 Second, through one's natural powers one can enjoy something, and such enjoyment is not necessarily inordinate. But there is no ordinate enjoyment with respect to any object other than God. Therefore, etc.

9 Furthermore, through frequent acts of loving God above all else one can acquire a habit that inclines one toward loving God above all else,[1] and that habit is similar to the one by which we meritoriously love God above all else.[2] Therefore, charity cannot exist in someone who has such a habit, because if it did, there would be two habits of the same species existing in the same subject, which seems untenable.

10 The antecedent is evident, because if (in keeping with the foregoing argument [nn. 6–8]) it can happen that someone loves God above all else through his natural capacities alone, it can therefore happen that he does so frequently, thereby generating such a habit. Therefore, etc.

11 And it cannot be said that these two habits are compatible with each other on the grounds that they belong to different species on account of their efficient causes, because an efficient cause by itself does not make for a difference in species, as is evident from Augustine, *On the Trinity* III.9.20, and Ambrose, *On the Incarnation* [c. 9, n. 105]. They say that different origins do not make for diverse species. (The same passage in Ambrose makes this point clear in the case of a human being produced by creation and by generation: Adam and I belong to the same species.) Therefore, etc.

12 The Master takes the opposite view in the text, as does Augustine in *On Christian Teaching* [I.26.27]. (Look it up in the *Sentences*.[3])

I. Reply to the question

13 In responding to this question there are three things that need to be investigated. First, because habits are made evident through acts, we need to investigate whether the act of loving God above all else is right, so that there can be a virtue that inclines to that act. Second, we need to investigate the formal character of the object of this act and of the habit that inclines to its first act. Third, we need to investigate whether nature, without an infused habit, is capable of such an act.

A. Loving God above all else is a right act

14 On the first point, I say that loving God above all else is an act that conforms to natural right reason, which dictates that what is best should be loved the most, and consequently the act is right in and of itself. Indeed, its rightness is self-evident, as the

[1] Q omits "that inclines one to love God above all else" (which awkwardly follows "and that habit is similar . . . " in the other MSS). The meaning is clearly the same whichever reading is followed.
[2] Cf. *Ordinatio* I d. 17 nn. 129–42. [3] Peter Lombard, *Sent.* III d. 27 c. 2 nn. 1–2.

rightness of a first principle in the domain of possible actions. For something should be loved the most, and that is nothing other than the highest Good, just as nothing other than the highest Truth should be most firmly held as true by the intellect. And this argument is confirmed by the consideration that moral precepts belong to the natural law; consequently, "You shall love the Lord your God,"[4] etc., belongs to the natural law, and thus the fact that this act is right is known [naturally].

From this it follows that there can be a virtue that naturally inclines to that act—and 15
it is a theological virtue, since it has to do with the theological object: that is, it has to do immediately with God. And not only that, but it also depends immediately on the first rule of human acts and has to be infused by God; for this virtue is apt to perfect the highest part of the soul, which receives its full and complete perfection in only one way: immediately from God.[5]

This virtue is distinct from faith, because its act is not understanding or believing. It is 16
also distinct from hope, because its act is not desiring a good for the one loving insofar as it is advantageous for the one loving; instead, its act is tending toward the object for its own sake, even if *per impossibile* its advantageousness for the one loving were ruled out.

This virtue, which perfects the will insofar as it has the affection for justice, I call 17
"charity."

B. On the formal object of this act

1. THE VIEWS OF OTHERS: THREE APPROACHES

On the second point, one must adopt one of the following three approaches: either 18
the formal object of such a habit is God in himself according to his absolute notion,[6] or it is God insofar as he is a good suitable to the one loving,[7] or, third, it is God insofar as he includes both, that is, insofar as he is an infinite good in himself and to love God is to participate in God, as a finite good participates in the Infinite Good.[8]

According to the second approach,[9] granting that there is a natural love for God as a 19
good for a creature insofar as God gives being to the creature by creating it, love for God insofar as he gives beatific being is from charity, and thus the object of charity is God insofar as he is the beatific object for the one loving God.

[4] Deuteronomy 6:5, Matthew 22:37.
[5] Cf. *Lectura* II d. 24 nn. 9–12; Thomas Aquinas, *ST* II-II q. 17 a. 1 in corp.
[6] Peter of Tarentaise, *Sent* III d. 29 q. un. a. 4 in corp.
[7] Godfrey of Fontaines, *Quodl.* X q. 6 in corp.
[8] Bonaventure, *Sent.* III d. 29 a. un. q. 2 in corp. and ad 4; Richard Middleton, *Sent.* III d. 29 q. 2 in corp.; Giles of Rome, *Quodl.* IV q. 14 in corp.
[9] Thomas Aquinas, *ST* II-II q. 23 a. 1 in corp, q. 26 a. 3 in corp.

20 The third[10] approach is put forward on account of the point just made [in n. 19], because the mere fact that someone is, by himself, the Supreme Good, an Infinite Good, is not sufficient for his being supremely loved; along with this, it must also be the case that the Supreme Good is the good of the one who loves him insofar as the lover participates in him.

2. REFUTATION OF THE VIEWS

21 An argument against the first approach [n. 18]: If this were correct, then if, *per impossibile*, there were another God, he would have to be loved above all else through charity. That seems untenable in itself. It also seems untenable on the basis of the following argument: there cannot be two distinct things that ought to be loved above all else, because each of the two would have to be loved more than the other, and then one and the same thing would be loved more than itself.

22 Second, if being the unqualified Good were the basis for being worthy to be loved above all else, then being a greater good would be the basis for being worthy of greater love, and thus everyone would be bound to love a neighbor who is better than himself more than himself, which does not seem plausible.

23 The second approach [n. 19] does not seem plausible, because an act of charity, if it is perfect, has to do with God under the most perfect aspect of his worthiness to be loved. And the most perfect aspect of God's worthiness to be loved is not any comparison of God to a creature, but rather God's absolute nature in and of himself. For God is better in himself, absolutely, than any relation of God to something other than himself could be.

24 Furthermore, if God qua beatific is the principal object of charity, I ask: what is this beatific aspect? Is it an aptitudinal relation—his being apt to beatify—or an actual relation—his actually beatifying?

If it is the first, and it is only by virtue of the nature to which such an aptitude belongs that an aptitude can perfectly terminate a perfect act—as it is always the case than an aptitude is not a perfection in itself, but necessarily includes the nature in which it is present—then one should not say that God is in this way the beatific object of charity.[11]

The second way does not seem plausible, because that relation, which is in the object insofar as God actually beatifies, follows the act. For there is no difference in the object between an actual and an aptitudinal relation other than the fact that an act

[10] Following PBNYQ against the edition's "first." Since the argument that follows is a reason for supplementing the first approach with the second—in other words, an argument for the third approach—it is hard to see what reason the editors had for choosing the reading they did, apart from their usual allegiance to A.

[11] Following Q. The edition has "then to say that God is in this way the object of charity is to say that he, insofar as he is such a nature, is the object of charity."

is elicited with respect to that object. Therefore, to say this would be to posit that God has the formal character of the object of the act insofar as he terminates an act elicited by charity. Similarly, to desire a good as good for someone belongs to the affection for the advantageous, and the will is not perfected by charity with respect to that affection.

Furthermore, both actual and aptitudinal happiness, if they mean anything in God's 25
case, mean nothing other than an actual or aptitudinal relation of reason. No relation of reason can be the formal object that terminates an act of charity.

And the arguments discussed in the prologue to Book I, in the question on the subject 26
of theology,[12] apply here. Therefore, etc.

Against the third approach it is argued that there clearly can't be a twofold formal 27
character for a single act, so one or the other of these must be identified as the formal aspect of charity, not both at once. And on this basis it is argued further that something that is the formal character when it is conjoined with something else would, if it were by itself, be the formal object by itself, as is clear in the case of other formal characters (for example, if heat conjoined [with something else] is the formal character of heating, then it would still be the formal character of heating if it were by itself). Therefore, whichever one of these two is in fact the objective character would terminate the act by itself if it were by itself; consequently, the other would not terminate the act, and so neither does it terminate the act now.

Furthermore, if some intellectual creature existed from itself (that is, not from 28
another as its efficient cause) and were intrinsically infinite (it has been claimed that this was the Philosopher's view about Intelligences other than the First[13]), such a creature could love God above all else—and, in accordance with right reason, no God other than the First—and yet it would not be a participation in the First, speaking in terms of efficient causality.

3. SCOTUS'S RESPONSE

As to this article, I say that the objective character of the act or habit of charity can be 29
understood in three ways: first, as a characteristic that, in and of itself, is apt to be a characteristic that terminates [such an act or habit] in its own right; second, as a characteristic that precedes some act, such that an act is apt to be elicited for the sake of an object on the basis of that characteristic; third, as a characteristic that is concomitant with, or indeed quasi-consequent to, the elicited act.

The first characteristic is the proper objective characteristic, and no other character- 30
istic is an objective characteristic in the strict and proper sense. This objective

[12] *Ordinatio* prol. nn. 164–6.
[13] Henry of Ghent, *Summa* a. 25, q. 3 in corp.; *Quodl.* VI q. 33 in corp.

characteristic is the characteristic of God in himself. For the formal characteristic that terminates every theological act and habit is precisely God *as this essence*, and that is the case in any intellectual nature (as was discussed above in the question on the subject of theology, in the prologue to Book 1[14]).

A brief proof of this: a power that has to do with some general object that is adequate for itself, whether as mover or as terminus, can be fully and perfectly brought to rest only in something that fully and perfectly possesses the characteristic of the power's adequate object. Every intellectual and volitional power has as its first adequate object, both as terminus and as mover, the whole of being. Therefore, such a power cannot be perfectly brought to rest in any being, created or uncreated, except one in which the characteristic of being is found fully and perfectly. Now the only such object is the First Being, and not under any relational characteristic, but qua "this being."

31 The second characteristic can in a way be called an objective characteristic with respect to the act of loving taken strictly, because it is in a way suited by nature to arouse someone to love. In the present context, the character of this nature in relation to the one loving—namely its being a good that shares itself with the one loving—is this sort of characteristic. Thus, in our case someone[15] is loved primarily because of his intrinsic worth, and secondarily because he is known to return our love, so that his returning our love is a special basis (*ratio*) of lovableness in him that arouses our love,[16] a distinct basis from his intrinsic worth. So too in God's case, it is not only his infinite goodness—this nature as such—that arouses our love; rather, because this goodness has loved me by sharing himself with me, I therefore elicit an act of love toward him. Anything in which the characteristic of lovableness can manifest itself—in creating or redeeming or disposing someone to being made happy—can be assigned to this second stage of lovableness. And there is no distinction among these three: charity has no more to do with the third than with the first or second. Rather, all of them are on a par as characteristics not merely of an intrinsically worthy good but of a good that shares itself and loves—and, because it loves, is worthy of being loved in return, as we read in 1 John 4:19, "We love God because he first loved us."

32 The third [sense of] characteristic, which is being an object that terminates an act, is not properly a formal objective characteristic because it naturally follows the elicited act; and yet, inasmuch as it always accompanies the act, it could be counted as a characteristic of the object. And in this way God is loved insofar as he is the object that beatifies the one loving him,[17] just as it would be said that God loves insofar as he

[14] *Ordinatio* prol. n. 206.
[15] Reading *aliquis* with ZNYQ. The edition has *aliquid* ("something").
[16] Reading *alliciens ad amandum* with PNYQ. The edition adds *aliquid*, which is clearly a mistake.
[17] Reading *in quantum est bonum beatificum diligentis* (Q) for the edition's *in quantum est bonum obiectum beatificum diligibilitatis* (AZ).

is supremely loved,[18] which is not from the nature of the object, but through a characteristic in the object that is concomitant with the act.

An example of this threefold distinction [n. 29] would be as follows. Suppose one 33
posited one supremely beautiful object, visible by its very nature; second, if one claimed that that object, when seen, gave the eye its power to see; third, if there were something that accompanies sight insofar as it is attained by the eye through its act of seeing, which is the formal basis for terminating the visual power's love (if the power of vision could first love such an object). The first is the characteristic of the nature as such, insofar as the characteristic of the object adequate for the power exists perfectly in such a nature, to as great a degree as it can exist in anything. The second is a characteristic that draws the power toward loving the object inasmuch as it has shared itself by giving the power to see. The third is a characteristic that accompanies the act in which vision is brought perfectly to rest. Taken absolutely, then, the first characteristic in vision (or of love in vision, if vision could love) would be the characteristic of this nature as such; only to a much lesser degree, and in a very improper sense, is it a characteristic of what is attained through an act.

From this it evidently follows that those who say that God is the object of charity 34
insofar as he is the beatific object are completely mistaken, whether by 'beatific' they mean an actual relation (i.e., insofar as God is the terminus of an act of beatifying) or an aptitudinal relation, because (as I have argued [n. 24]), it is in virtue of his nature that God is the terminus of an aptitudinal relation.

C. Is an infused habit necessary?

1. HENRY OF GHENT'S VIEW

On the third topic, it has been argued[19] that nature is not sufficient for this act 35
without an infused habit.

The first reason is that nature is determined to one. Now nature is determined to desire its own being, according to *On Generation and Corruption* II [336b27–9]. Therefore, it cannot desire its own non-being, no matter what else might be true of it (unless one were to say that it is determined to desire its own being only conditionally,[20] which does not seem probable). Therefore, every intellectual nature is determined to desire its own being rather than God's being, if the two should be incompatible; for its desiring its own being is the one thing to which it is naturally determined, and no matter what other condition might hold for it, it cannot be inclined to the opposite—for if it were, it would desire its own being only conditionally.

[18] Reading *sicut diceretur Deus diligere in quantum summe diligitur* (Q) for the edition's *sicut diceretur diligi in quantum summe diligitur*.
[19] Henry of Ghent, *Quodl.* IV q. 11 in corp.
[20] Reading *condicionaliter* (PZNYQ) for the edition's *condicionatum*.

36 Moreover, it seems clear that natural appetite is only for what is suitable to the one desiring, and consequently it is primarily for the one for whom it desires what is suitable—which is, of course, the one loving (assuming that he primarily loves the suitable thing for his own sake). Therefore, natural appetite cannot have as its foremost concern what is suitable for another.

2. OTHERS' ARGUMENTS AGAINST HENRY'S VIEW

37 Some[21] have argued against this view as follows:

First, a part loves the being of the whole more than its own being. This is made clear both in the macrocosm and in the microcosm:

In the macrocosm: water both ascends so that no vacuum will come about in the universe (as is evident in many experiments, for example, the one with the water rising in a vessel that has a candle burning above it, and in many others[22]), even though this is contrary to the particular natural inclination of the nature of water, since water is naturally heavy and consequently tends downward. But the universal inclination of nature wins out. For the good of the whole universe—the continuity or contiguity of its parts—is preserved thereby; it strives for this good.[23] In this way water is inclined more to the universal good of the universe than to its own particular good.

38 This same thing is also evident in the microcosm: a hand puts itself in the way of harm to save the head, as though naturally desiring the safety of the head more than that of other parts of the body, and thus more than its own safety. For the safety of the head just is the safety of all the parts of the body, as far as the activities and functions of life are concerned.

39 And to take this point further, given that every creature is a participation in the divine goodness, every creature desires the being of the divine good more than the being of its own good; consequently, a rational creature can, in virtue of its natural powers, love the divine good more than any other good: more, even, than itself.

40 Moreover, a rational nature loves happiness supremely, as we gather from Augustine in *On the Trinity* XIII.5.8. Now it does not love the beatific object less than it loves happiness. Therefore, it loves the beatific object supremely, and so more than anything else—which means, more than itself. By way of confirmation: someone in a state of despair who kills himself hates his own being; and yet he does not hate happiness; for he desires happiness, if only he could have it. Therefore, he loves

[21] Thomas Aquinas, *Sent.* III d. 29 q. 1 a. 3 in corp., *ST* II-II q. 26 a. 3 in corp.; Godfrey of Fontaines, *Quodl.* X q. 6 in corp.

[22] See Roger Bacon, *Quaestiones supra libros quatuor Physicorum Aristot.* IV (VIII 198–217) for a detailed discussion of such experiments.

[23] The subject of 'strives' is probably meant to be "the universal inclination of nature." The MSS are quite varied here, though not in such a way as to cast doubt on the purport of the argument.

happiness more than he loves himself; consequently, he loves the beatific object more than he loves himself.

3. A CAREFUL WEIGHING OF THE FOREGOING ARGUMENTS

These arguments are not compelling: 41

The first argument [nn. 37–9] fails because those examples don't show what they are meant to show. They show only that the *whole* loves its own good, or its more important parts, more than it loves the good of a less important part.

This is clear in the first example, the one about water. For it cannot be the case that 42
water moves itself upward for the sake of some good of the universe as a whole, because water has a natural form, a form that is determined to one action; so as long as that form remains numerically the same, it can never be the form responsible for water's doing the opposite action. Therefore, water does not move itself upward. Rather, it is moved upward by another, extrinsic mover, to which the water, of its own nature, contributes nothing.[24] Consequently, water is moved violently with respect to its own nature. So this is not a case of a part's loving the good of the whole [more than its own good[25]] or of saving the whole out of love; rather, the whole (or the regulative power in the whole, to which the powers of the whole are attributed) moves a given part of the universe in a way that serves the well-being of the whole. What follows from this, then, is that the whole universe loves the well-being of the whole more than the well-being of a particular part.

The same conclusion emerges from the other example [n. 38]. The hand does not put 43
itself in the way of harm for the sake of the whole body as a result of the hand's own appetite; rather, the human being who has these parts—one more important and another less important—puts the less important part, which he can lose without endangering the whole, in the way of harm in order to save the whole and the other part, whose loss would mean the complete destruction of the whole.

And so what you can conclude on this point is that *God* loves the well-being of the 44
universe—or even his own well-being—more than the well-being of any one part; and he loves the well-being of an important part more than the well-being of a less important part. But there is no basis to conclude that any creature loves God's being or the being of the universe more than the creature's own being, just as, in those examples, the part would, if left to itself (that is, considered only in terms of its own inclination), never put itself at risk of non-being for the sake of another.

[24] Reading *cui etiam nihil confert quantum est ex natura sua* with Q, which gives roughly the same sense as the majority of manuscripts. The edition follows A: *cui etiam (quantum est ex natura sua) tantum convenit esse sursum* ("and which by its very nature is suited to be above").

[25] The bracketed material is in Q.

45 The analogy fails in another respect as well. Suppose it were true, as the examples assume, that these parts are something that really belong to the whole, and that by saving the whole they save themselves because they have being in the whole. Creatures are not parts in that way: they do not belong to God in the sense that God has them as a part, though they do belong to God as his effect or as participating in God.

46 And the second argument, the one about happiness [n. 40], is unsound because it considers only the affection for the advantageous. Granted, among things that are desired for the sake of the one loving, happiness is desired the most; but it is not loved the most. Rather, the one for whose sake happiness is desired is loved the most (just as an end is loved more than things that are for the end). Similarly, the premise about happiness[26] is true only if one is talking about happiness in the universal sense, without specifying what happiness consists in. Understanding happiness in this second sense, there is no basis for the conclusion that anyone loves anything other than himself more than himself, since it is not specified that what happiness consists in is something other than the one loving.

4. SCOTUS'S ARGUMENTS AGAINST HENRY

47 So, instead of relying on these arguments, I offer two other arguments for the principal conclusion:[27]

The first is this: natural reason reveals to an intellectual creature that something exists that is worthy of supreme love, because in all essentially ordered objects and acts there is something supreme, and thus supreme love, and thus there is also a supremely lovable object. But natural right reason does not reveal anything as supremely lovable other than the Infinite Good; for if it did, charity would incline to the opposite of what right reason dictates, and thus it would not be a virtue. Therefore, right reason dictates that only the Infinite Good is worthy of supreme love. And consequently the will can supremely love the Infinite Good by its own natural powers. For the intellect cannot rightly dictate anything to which the will cannot naturally carry itself and tend, since if it could, the will would be naturally bad, or at any rate it would lack the freedom to tend to any given thing under the aspect of good as presented to it by the intellect. And this is what is said about angels in particular, that in the state of innocence they were not non-upright,[28] since if they had been, they would not have been able to have a non-upright act; but they could in fact have a non-upright elicited act. And we are to suppose that they had some elicited act,

[26] i.e., that a rational nature loves happiness supremely.

[27] The edition comments: "Such a conclusion (n. 38), ineptly deduced from the arguments in nn. 37–8 and n. 40, is more clearly stated below at n. 52."

[28] Cf. *Ordinatio* II dd. 4–5 n. 37.

therefore an upright act; and there could be no upright act that was not an act of loving God above all else; therefore, etc.

The second argument is this: the Philosopher in *Ethics* IX [1169a18–20] holds that 48
the courageous citizen ought to face death for the good and utility of the commonwealth. Now the Philosopher would not maintain that such a citizen would have some reward in the next life, as is clear from the many passages in which he expresses uncertainty about whether the soul is immortal or mortal and evidently favors the view that it is mortal.[29] (At any rate, if someone following natural reason is uncertain about a future life, no one ought to risk what is certainly the loss of good and virtue within the commonwealth for the sake of a future life about which he is uncertain.) Therefore, leaving aside any consideration of a future reward, it is consonant with right reason for any courageous citizen to will his own non-being in order to preserve the good of the commonwealth. But according to right reason, the divine good[30] should be loved more than the good of any particular thing; therefore, according to right reason everyone should will his own non-being for the sake of the divine good.

It has been argued[31] that in facing death for the sake of the good of virtue, the 49
courageous person experiences the greatest good of virtue and the greatest pleasure; and for the sake of these very great, albeit short-lived, goods, he ought to elicit and love such an act in preference to an ignominious life. For as Aristotle maintains in *Ethics* IX.9 [1169a22–5], one intense act is better than any number of non-intense acts; so in this the courageous citizen is not choosing his own non-being but his best possible being through an act of virtue; and according to right reason this best possible being should be chosen over lacking an act of virtue, though possessing many other advantages.

Against this: If for the sake of preserving the safety and well-being of X I will that 50
Y not exist, I unqualifiedly love X more than Y. Now a courageous person of the sort we're describing wills for the sake of the well-being of the commonwealth that both he and his act of virtue not exist. Therefore, he unqualifiedly loves the common good, which he wills to be preserved, more than himself or his act of virtue; it is not to save himself or his act of virtue that he faces death, but to save the commonwealth. And so the previous argument [n. 48] stands.

A third argument,[32] a theological consideration, is also given: If by exercising solely 51
one's natural powers someone can have a perfect act of virtue in loving God above all else, someone who found that he was disposed to such an act could know that he is in

[29] Scotus discusses Aristotle's treatment of this issue in *Ordinatio* IV d. 43 q. 2 nn. 93–102.
[30] To *bonum divinum* the edition adds *et politicum*, which BNQ omit.
[31] Godfrey of Fontaines, *Quodl* X q. 6 in corp.
[32] Henry of Ghent, *Summa* a. 46 q. 4 in corp.

a state of charity, since apart from charity there would be no such disposition to love God above all else.

52 The consequent is false; therefore, so is the antecedent.

5. SCOTUS'S VIEW

53 As for this article [n. 35], on the strength of the two arguments—the conformity of right reason and the will [n. 47] and the courageous citizen [n. 48]—I concede the conclusion that any will, at any rate in the condition of human nature as originally created, can, by exercising solely its natural powers, love God above all else.

54 To make this clear, I first explain how we should understand "above all else"; second, in what way a rational creature is obligated to that act; and third, notwithstanding this, what the habit of charity is necessary for.

55 *a. How we should understand "above all else"* As for the first point, I say that "above all else" can be understood either extensively or intensively: extensively, in the sense that one loves God more than all other things, for example, because on the basis of some affection one would sooner will that all other things not exist than that God not exist; intensively, for example, one wills well-being for God with a greater affection than one wills it for anything else.

56 Taking "above all else" extensively, there is consensus[33] that no single thing other than God, nor even all other things at once, are as estimable as God.

57 As for "above all else" taken intensively, a distinction has been proposed,[34] according to which one love exceeds another either because it is warmer or gentler or because it is stronger or firmer; and these loves are said to exceed one another.[35] For example, it is said that a mother loves a son more warmly and gently, but a father loves him more strongly and firmly because he would face greater danger for love of his son. In keeping with this distinction, it would be said that loving God above all else should be a matter of the firmness of one's love, such that nothing else could tear one away from that love; but love for God need not be above all else with respect to gentleness, warmth, and sweetness, since one finds oneself loving a creature more warmly at one time than one loves God at some other time, as is clear in the case of those who feel jealousy. This is confirmed by the fact that if a human being in this present state could love God supremely, above all else, both extensively and

[33] Peter Lombard, *Sent.* III d. 29 c. 1 nn. 2–3 and c. 2 n. 6; William of Auxerre, *Summa* III tr. 14 c. 4; Bonaventure, *Sent.* III d. 29 a. un. q. 2 in corp.; Thomas Aquinas, *ST* II-II q. 26 a. 2 in corp., a. 3 in corp.; and others.

[34] Bonaventure, *Sent.* III d. 30 a. un. q. 6 in corp., d. 27 a. 2 q. 6 in corp.

[35] That is, on the proposed distinction, love A can be greater than love B insofar as it is warmer and gentler, and at the same time love B can be greater than love A insofar as it is stronger or firmer. The word for 'or' is *sive*, so 'gentler' is intended as a rough synonym for 'warmer' and 'firmer' for 'stronger.'

intensively, he could fulfill the commandment of Deuteronomy 6:5, "You shall love the Lord your God," etc. But both the Master, in the text of the *Sentences*, and Augustine hold the opposite; they claim that this commandment is not one for us to fulfill but one for us to strive toward.[36]

Against this distinction [n. 57] I argue that only what is loved more firmly is loved more: what I love more is what I am less willing to see harmed and more prepared, out of love, to face difficulty in order to preserve its well-being, since being prepared to face such difficulty follows from love—I am talking about the love that is an act of will, not the one that is a passion of the sensory appetite. So even if people who do not love more firmly are sometimes said to love more warmly or gently, this is not because they have more intellectual love, but perhaps because they have a stronger passion, that is, a stronger sensory love, just as others who are called devout sometimes feel a greater sweetness than others who are much more steady and firm in the love of God, who are a hundred times more ready to suffer martyrdom for God's sake than the "devout" are. Nor is that sweetness an act elicited by the will; rather, it is a passion bestowed as a reward[37] for an act of will, a passion by which God draws his little ones to himself and nourishes them, lest they faint on the way.[38] 58

I therefore say that "above all else" should be understood in both ways: both extensively and intensively. For just as I am obligated to love God above all else extensively, so too am I obligated to love him above all else intensively, with a greater affection than I love absolutely anything else. I say "greater" in the sense that it is more incompatible with the opposite effect [namely, an act of hating God]; on the contrary, such affection could be more easily inclined to the opposite of love for anything else than to the opposite of love for God. 59

As for the further point about the commandment [n. 57]: by parity of reasoning, one should say that we should have been commanded to have the vision of God, not so that we might fulfill the commandment but so that we might know what we ought to strive toward. That's perfectly obviously false. 60

And so I say that that commandment can be fulfilled in this life, both as to extent and as to intensity, in keeping with the approach set forth above [n. 53]. But it cannot be fulfilled as to all the conditions that are expressed by the addition "with all your heart, 61

[36] Peter Lombard, *Sent*. III d. 27 c. 6 n. 2; he cites Augustine, *De perfectione iustitiae hominis* c. 8 n. 19.

[37] reading *retributa* with all the MSS other than AP. The edition reads *acquisita* ("acquired"), which is difficult to construe with the dative form of the word for 'act' and moreover smacks of Pelagianism.

[38] "little ones" recalls Luke 10:21, "I thank you, Father, Lord of heaven and earth, that you have hidden these things from the learned and wise and have revealed them to little ones"; "lest they faint on the way" comes from Matthew 15:32, just before the feeding of the four thousand, where Jesus says, "I have compassion for the crowd, because they have been with me now for three days and have nothing to eat; and I do not want to send them away hungry, lest they faint on the way."

with all your mind," etc.,[39] because in this life there cannot be such a great mustering of one's powers, with all hindrances removed, that the will can be drawn with as vigorous an impulse as it could be if one's powers were united and mustered and all hindrances were removed. And we should understand what Augustine and the Master say about the commandment's not being fulfilled in this life as applying to this sort of intensity, with all hindrances removed and all powers mustered; for in this present life the [wayward] propensity of the lower powers hinders the higher powers from achieving their perfect acts.

62 *b. In what way a rational creature is obligated to love God above all else* On this point I say that the affirmative commandment of Deuteronomy 6 and Matthew 22, "You shall love the Lord your God," etc., does not merely obligate us not to will the opposite (that is, to refrain from an act of hating God), but it also obligates us at some time to elicit an act. For that act concerns the end, and all moral goodness in acts concerning things that are for the end is derived from the goodness of the act concerning the end. So if human beings are obligated at some time to have a virtuous act, they are obligated at some time to have the act required by that commandment concerning the end that they are required to love for its own sake. And when, exactly, is perhaps determined by another divine commandment: "Keep the Sabbath holy"[40] and "Let each of you stay where you are,"[41] recollecting yourself and ascending to your God; and by way of specification the Church has required that one is to hear mass on the Lord's Day ("De consecratione," d. 1, "Masses").[42] The commandment to love one's neighbor is different, as will become clear in the next question [d. 28, nn. 17–20].

63 *c. What the habit of charity is necessary for* As for the third topic of this article, the habit of charity, I say what I said elsewhere, in Book 1, d. 17 [nn. 64, 69–70, 80]: with respect to the intensity of the substance of the act, this habit gives an act an intensity beyond that which the power by itself, and with equal effort, could give to its own act. And however much more perfect a created power would be [if it had such charity], that is how much more imperfect it would be if it did not have the created charity that corresponds to it proportionally. I mean arithmetic proportion; in terms of geometric proportion the difference in perfection would be equal: for clearly a greater will that lacks the charity proportionate to it falls short exactly as much, in terms of geometrical proportion, as a lesser will lacking the charity proportionate to it.

[39] Deuteronomy 6:5, Matthew 22:37, Mark 12:30: "You shall love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength."

[40] Exodus 20:8; for further discussion of this commandment, see *Ordinatio* III d. 37 nn. 21–4.

[41] Exodus 16:29–30.

[42] *Decretum* pars 3 'De consecratione' d. 1 c. 64. Scotus treats the Sunday obligation extensively at *Ordinatio* III d. 9 nn. 18–20.

But as for the circumstance of the act—namely, its being accepted by God—I explained in Book I, d. 17 [nn. 129, 152], that this is principally from charity[43] and less principally from the will. 64

So, in short, I say here what I said there about the necessity of habits for acts, and particularly for acts of charity, with respect to a circumstance of the act; with respect to the substance of the act, however, I say what I said there.[44] 65

And as for the condition of the habit—namely, its being infused—I say the same thing here that I said about faith[45] and hope:[46] no one can prove such infused habits by natural reason; they are held solely as a matter of faith. And it seems appropriate that all three would have this in common, since when it comes to eliciting acts that have to do directly with God, it seems likely that the higher part can be fully and completely perfected only by God's direct action. 66

II. Replies to the arguments

Replies to the arguments given in the course of this question. 67

A. Replies to the preliminary arguments

Replies to the preliminary arguments: 68

As to the first [n. 2], I concede that charity can properly be called friendship, though not if we take friendship in the very strictest sense, as the Philosopher was speaking of it in the passage cited. But if, in keeping with Aristotle's meaning, we extend it to include God, we find something superior to friendship.[47] For the superiority of the object does not destroy anything that is a perfection in the object, but only what is an imperfection. And so the argument fails: the intrinsic worth of what is lovable, and the loved object's reciprocating love, are essential conditions in what is lovable; but its equality [with the lover] in these two respects is a concomitant condition, not a matter of perfection. Quite the opposite, in fact: [the superior friend] would not be more perfect if he reciprocated love. Now God in fact has reciprocation of love and intrinsic worth or love-worthiness in a more excellent way, and there can be friendship with God, which deserves the name of "super-friendship."

[43] Reading *hoc est a caritate principaliter* with Q. The edition, following the reading of most MSS, has *ille actus est in actu principaliter a caritate*. If *ille actus* is indeed what Scotus wrote, it must be a slip of the pen for *illa circumstantia*; Scotus does not elsewhere call a circumstance of an act an "act in an act."

[44] Cf. ibid, nn. 53, 65, 92–7.

[45] See *Lectura* III d. 23 nn. 48, 56–7; the question on faith was not revised for the *Ordinatio*.

[46] d. 26 n. 132.

[47] The edition has *amicitiă*, which I take it is meant to suggest that the word is nominative (rather than, as I have translated, an ablative of comparison). I cannot construe the Latin in accordance with that suggestion.

69 And if someone were to argue that equality is a defining characteristic of friendship, that's true, presupposing intrinsic worth, which is the first defining characteristic of what is lovable. Equality is a defining characteristic of friendship *taken strictly*, whereas superiority is more a characteristic of a habit that is like friendship or more perfect than friendship; and it is this latter habit that I am calling "charity" in the present discussion.

70 To the second argument [n. 3], I say that not only can God be loved above all else through charity, but he can be loved above all else even through purely natural powers (at least in the condition of human nature as originally created).

71 And as for the Philosopher's principle in *Ethics* IX [n. 4], I say that the authoritative passage should be understood as applying to the awareness of friendship—I become aware that I have friendship toward someone when [I find that] I desire for him the same sorts of things I desire for myself—but not as an essential defining characteristic of friendship, as though the only kind of friendship were friendship in the strict sense, between equals; it is in that latter kind of friendship that the measure of friendship to oneself is the measure of friendship to another, and not vice versa.[48]

72 As for the argument there about oneness [n. 5], I say that there are two features that come together in the lovable object: goodness and oneness. And although sometimes oneness exceeds goodness, goodness nevertheless compensates in some other respect.

73 As for the third argument [n. 6], I concede the conclusion; but still, as I have explained [nn. 63–6], charity is not superfluous.

74 To the fourth argument [n. 9], I say that no habit of the same species as charity can be acquired through acts, even though it is possible to acquire a friendship that tends toward God as object under the same aspect [under which he is the object of charity], and even to do so through an act similar [to an act of charity], since [friendship of a sort that involves] loving God above all else can be acquired through acts. For any nature that cannot exist from an efficient cause of the same species as another is not of the same species as that which can exist from such an efficient cause of such a species, since an effect of the same species can exist from causes that are similar in species. And therefore charity, which can only be infused, cannot be of the same species as any friendship that can be acquired through acts.

B. Replies to the two arguments put forward in the second article

75 I reply as follows to the two arguments for the alternative position in the article "On the formal object of charity":

To the first [n. 21], I say that positing two gods destroys the nature of charity. For every habit tends of its own nature toward something one. To posit that a habit tends

[48] Reading with Q.

toward more than one is to posit that that habit is not that habit. For example, if there is an unqualifiedly proper habit of a first principle, to posit some other habit of the first principle is to posit that the latter habit is not of that first principle as proper. Thus I say that positing that there is more than one god amounts to saying that both, and neither, should be loved through charity.

To the second [n. 22], I say that what holds for "more" and "less" in a given order is 76
not analogous to what holds for what is highest in that order, as far as the activity of something outside that order on things within it is concerned. For it can be the case that something's activity necessarily requires the highest thing in that order if it is to be completely perfect, and yet it is not necessarily ordered in a similar way to the other things that belong to that order. There is an example in the case of colors: there can be completely perfect vision only of a completely perfect visible color, and yet it need not be the case that vision is more perfect when it is of a color that is closer to the completely perfect visible color. The reason for this is that an act rests in something because that thing fully possesses the defining feature of the total object [of the power]. That object is in other things in a diminished way. It may be that one thing exceeds another to some degree, but in such things there is no feature that necessarily causes rest, even if the power is naturally free. Therefore, although it is true both that only the infinite good fully satisfies the will, and that it does so precisely because it is the infinite good, it need not be the case that any finite good satisfies the will more or less in accordance with its [greater or lesser] degree of goodness, because those degrees are accidental with reference to the external object that satisfies the will.

26

Ordinatio III, d. 28, q. un.

"Ought one to love one's neighbor by the same habit by which one loves God?"

1 Concerning distinction 28, I ask whether one ought to love one's neighbor by the same habit by which one loves God.

2 Arguments for the negative:

For one habit there is one object. The formal character of the object, goodness, is not the same in God as it is in one's neighbor. Therefore, etc.

3 Also, the habit by which one loves God is a theological habit; therefore, it has to do with God alone as object, and not with anything created.

4 One might respond[1] that this is true with respect to the *principal* object, but the habit in question does have to do with something other than God only insofar as that thing is attributed to God.

5 On the contrary: if attribution were sufficient, it would follow that there could be one intellectual habit, and even one appetitive habit, for all things. For all intelligibles are attributed to one thing, and likewise all moral virtues are attributed to one thing, because all moral virtues are attributed to happiness as what is intrinsically desirable.

6 Furthermore, another argument on the main question: the habit of a principle is distinct from the habit of a conclusion. Therefore, something similar holds for appetitive habits: the habit of the end is distinct from the habit of what is for the end. Charity is the habit of the end. Therefore, etc.

7 1 John speaks in favor of the affirmative.[2]

[1] Bonaventure, *Sent*. III d. 27 a. 1 q. 2 in corp. and ad 3.

[2] 1 John 4:21, "We have this commandment from God, that one who loves God should also love his brother."

I. Reply to the question

Concerning this question there are three things that need to be investigated: the first 8
is how the habit by which God is loved has to do with one's neighbor as lovable object, the second concerns the habit that one ought to have with regard to one's neighbor, and the third is who one's neighbor is.

A. The habit of charity with respect to God and one's neighbor

To the first I say, as was discussed in Book I, d. 17 [n. 29], that 'charity' is the name for 9
the habit by which God is held dear (*carus*).[3]

But God could be held dear with a private love, such that the lover does not want God 10
to have any other lovers, as is evident in jealous men who hold their wives too dear. But this habit would be neither ordinate nor perfect:

I say it would not be *ordinate* because God, who is the universal good, does not will to be the individual, private good of any person, nor, according to right reason, should anyone appropriate the universal good to himself. And so this habit or love that inclines one to that good as one's own individual good, not to be loved or possessed by anyone else, would be an inordinate love.

It would also not be *perfect* because one who loves something perfectly wills that the 11
beloved be loved by another, as is evident from what Richard says in *On the Trinity* III c. 11.[4]

So by infusing the love by which the soul tends[5] perfectly and ordinately to himself, God gives the habit by which he is held dear as the universal good and as a good that is to be loved in company with others. And thus this habit, which in itself has to do with God, also inclines one to will that God be possessed and loved by another—at any rate by one whose friendship is pleasing to him, or not displeasing for some period during which it is pleasing to him. Therefore, just as this habit inclines one to love God ordinately and perfectly in himself, so too it inclines one to will that God be loved by oneself and by anyone else whose friendship is pleasing to God.

From this it is clear how the habit of charity is one habit: it does not have more than 12
one primary object; rather, it has God alone as its primary object insofar as he is good

[3] According to the critical edition, "God is held dear insofar as by a special acceptance he accepts a creature who is furnished with the habit of charity as worthy of eternal life." But that's not a matter of our holding God dear; it's a matter of God's holding us dear. The edition's note is thus inconsistent with Scotus's formulation and is immediately contradicted by the account of "holding dear" that follows in the text.

[4] Richard of St Victor, *De Trin.* III c. 11, c. 15, c. 19.

[5] For "the soul tends" the edition, following a reading found only in A, has "all things tend." It need hardly be said that Scotus cannot think that all things are capable of perfect and ordinate love of God as the common good that is to be loved in company with others, or that God infuses love into all things.

in himself and the first good. Secondarily, it involves willing that God be loved by everyone, because[6] such love for God is perfect, and willing that everyone possess him through love to the extent that they are capable, [because that] is ordinate love for God. And in willing this I love both myself and my neighbor out of charity, by willing that I and my neighbor love God in himself, which is unqualifiedly good and an act of justice. Thus, only God in himself is the first object [of charity], whereas all other things are intermediate objects of quasi-reflex acts through which I tend toward the infinite good, which is God. And it is one and the same habit that is the principle of both the direct act and the reflex act.

13 Against this, some have objected[7] that it is not by the same habit that I understand God and understand that someone else understands God; therefore, by analogy, it is not by the same habit that I will God's well-being and will that someone else will God's well-being.

14 I reply: the act on which there is reflection can be signified by a noun; in that case, the noun signifies the act according to its quiddity. Or it can be signified by a verb; in that case, the verb signifies the act as it is in the supposit or the act in concretion with the supposit. In the first way, it is universally possible for there to be reflection on the direct act by the same habit by which the direct act is elicited in the first place. That is the case not only for appetitive acts but also for intellectual acts: it is by the same habit by which I understand something that I understand an understanding of it, whether that understanding inheres in someone else or in me. The second way is expressed by an infinitive.[8] And in this latter way, if the act is considered in relation to willing, it is not necessarily understood qua present. For example, I can will that you run, albeit not now, but later. By contrast, if the act is considered in relation to knowing, then because only what is true is known, and knowing is not a doing unless it is a doing in the present on the part of that supposit, knowing is not reflected on an act signified in this way unless that act is present in the supposit in which it is signified to be present. And because it is possible for both the knowledge and the reflex act to be in me at the same time, and it need not be the case that that act exists in anyone else, I do not have the reflex act concerning that act as it is signified by a verb and said of some other supposit.

[6] Reading *quia* (PZBNY) for the edition's *si*.

[7] Henry of Ghent, *Summa* a. 54 q. 9 in corp.; William of Auxerre, *Summa* III tr. 14 c. 3.

[8] Though in English by a gerund: we would not say that *to will* is in someone, but that *willing* is in someone. I will use the gerund in what follows. For "an infinitive" the edition, following three MSS (including A), reads "an infinite verb and [a verb] in the infinitive mood, for example, 'to know,' 'to will,' 'to understand,' and so forth." An "infinite verb" is a verb plus a negation (e.g. *non scit*: see Scotus's *In Periherm.* II q. 1 nn. 9–10). Since there is not a hint in this discussion that the direct act must be a negative act (a failure or withholding)—quite the contrary, in fact—the edition's reading has to be wrong. I have followed the majority of MSS.

It is therefore clear that although it is not by the same habit that I know God and 15
know that you know God, it is by the same habit that I will God and will that you will God: and in doing so I am loving you out of charity, because in doing so I will that you will that there be an act of justice in yourself. In this regard one's neighbor is not regarded as a secondary object of charity but as an object that is altogether accidental to the object of charity, as something that can join me in a perfect and ordinate love for the Beloved. I love my neighbor in order that he might love God along with me, and in so doing I love him quasi-accidentally, not for his sake, but for the sake of the object that I will to be loved by him. And in willing that this object be loved by him, I will something unqualifiedly good—a good of justice—for him.

B. The habit that one ought to have with respect to one's neighbor

On the second topic, I say that just as the negation of a conclusion that does not 16
follow necessarily from a principle is compatible with the assertion of the principle (for not every error concerning a conclusion destroys the assertion[9] of a principle), so too, given that love of a finite good does not follow necessarily from love of the Infinite Good, destruction of the love of God does not follow necessarily, in virtue of the nature of acts of love, from the destruction of the love of a neighbor—and this is the case whether we understand the "destruction" of love as a contrary or as a contradictory. And there is even less reason to think that there would be a contradiction in virtue of the nature of the habit if there were charity toward God but not toward a neighbor.

So this act concerning another exists insofar as a commandment has been given 17
about loving another; and for this act one ought to make use of that habit, or at least not act against that habit. Otherwise, the act and habit directed to God would be destroyed, not by some natural contradiction, but because of demerit. For a transgression of the commandment does not positively corrupt the act, or even the habit, of loving God; rather, it earns demerit, so that God withdraws himself, with the result that neither the act nor the habit can be present.

And this is clearly the case as far as the habit is concerned, because this habit, which 18
by its nature is not private but common, is apt to incline one to love God non-privately; and thus a private act of love that destroys love of neighbor cannot in any way be an act of that habit. This fact evinces the great perfection of this habit, because even if acquired envy could be greater, in terms of its intensity in eliciting acts, than infused charity of a modest degree, this habit—because it is ordinate and perfect in the genus of appetitive habits—cannot have to do with God otherwise than as the universal good who should be loved in common with others. Consequently, it cannot be the principle of any act that involves both love of God and the contrary of love of neighbor.

[9] "the assertion" = NYQ; other MSS and the edition have "the truth or the assertion."

19 So from this it is clear in what way the act is necessary in virtue of the nature of the habit, if an act ought to be elicited by means of that habit: necessary in the sense that an act cannot be elicited [from charity] either as private or as contrary to an act [of love] toward a neighbor.

20 And in virtue of the nature of the commandment, which goes beyond the habit, it is required that one elicit an act positively, or at least not contrarily, concerning one's neighbor, lest by demerit one deserve the destruction of the habit that concerns God.

C. Who is the neighbor who is to be loved out of charity?

21 On the third topic I say that one's neighbor is anyone whose friendship is pleasing to the Beloved, that is, anyone by whom God is pleased to be loved. After all, it is not right or rational for me to will that the one whom I love above all else be loved also by another by whom he does not will to be loved, or whose love is not pleasing to him.

22 So since there is no doubt that the love of the blessed[10] is pleasing to him, I ought to will absolutely that he be loved by them; and because there is doubt about every individual wayfarer, I ought to will that he be loved by any one of them on the condition that it pleases him to be loved by them either for the time being or at some time at which it pleases him to be loved by them.

23 But concerning wayfarers in general, because it should always be assumed that some are good people whose love is pleasing to him, or not displeasing, it makes sense to will absolutely that God be loved by them in company with oneself.[11]

24 Now concerning the damned—either demons or human beings who are displeasing to God beyond their term [of wayfaring]—it is not the case that I ought to will that they love God.[12]

II. Replies to the preliminary arguments

25 In reply to the first preliminary argument [n. 2] it is clear how in this case there is just one object. As for the argument that the distinctive character of goodness is not the same in God as it is in one's neighbor, I say that the distinctive character of goodness in one's neighbor is not the characteristic that terminates an act of charity as its object; rather, that role is played by the character of the divine goodness. For even if there is a tending toward the goodness of one's neighbor, that is only by way of a reflex act, which always tends further toward the object of the direct act, as I explained earlier [n. 15].

[10] "of the blessed" = NQ; other MSS have "of the good."
[11] literally: "an act of willing absolutely that God be co-loved by them can be had."
[12] Only AZB include this sentence.

The reply to the second argument [n. 3] is evident on the same basis. For this virtue [i.e., charity] has God alone as its intrinsically satisfying object, but it can have something created as a proximate object in a reflex act. Thus perhaps the heavenly vision can have some elicited act concerning something created, yet not stopping there, but tending further toward God. 26

To the third argument [n. 6] I say that through the habit of a principle one tends toward the principle in accordance with the principle's own truth, which it has in virtue of its terms; through the habit of a conclusion one tends toward the conclusion in accordance with the truth of its own that the conclusion has, distinct from the truth of the principle. Things are otherwise in the case we're concerned about here: there is only one goodness that is the basis for tending both toward God in himself and toward one's neighbor as he in turn tends toward God. For the goodness of a neighbor does not move me any more than if a straw could love God; but if I love God perfectly, I will that he be loved by everything that is capable of loving him ordinately and whose love is pleasing to him. Nor is there generally any likeness between the objects of the intellect, which are [simply] representations, and the objects of the will, which are such as to draw or entice. 27

27

Ordinatio III, d. 29, q. un.

"Is each person required to love himself the most, after God?"

1 Concerning distinction 29 I ask whether each person is required to love himself the most, after God.

2 Arguments for the negative:

In *Ethics* IX [1168a29–30] the lover of self is disparaged. There is a great deal on this topic there.

3 Furthermore, Gregory, commenting on Luke [10:1], "He sent them out two by two," says, "No one is properly said to have charity toward himself; rather, if one's love is to be truly called 'charity,' one tends toward another through that love."[1]

4 On the contrary:

A measure is more perfect than what it measures, and love of oneself is the measure of love of neighbor, according to Matthew 20:39: "Love your neighbor as yourself."

I. Reply to the question

5 The answer to this question is clear from what was said in the previous question about how charity has to do with one's neighbor [d. 28 nn. 11–15]. For charity, in virtue of being a principle for tending immediately to God by a direct act, is a principle for reflecting on those acts by which one tends to God. And thereby, as I said there, it is a principle for willing that anyone who has the capacity to love God, and whose friendship is pleasing (or not displeasing) to God, love God; that is how it is a principle for loving one's neighbor. Now among all the acts of the same character, the principle of tending toward God is most immediately the principle for reflecting on the act that one elicits; that is the act by which the one who has charity loves God. Therefore, after God, one immediately wills through charity to love that through

[1] Gregory, *Homiliae 40 in Evangelia* I hom. 17 n. 1.

which one tends toward God or (in other words) to love one's love for God.[2] In willing that one love God, one loves oneself through charity, because one wills a good of justice for oneself; therefore, through charity one loves oneself immediately after God.

Confirmation: in weighing the characters of goodness and oneness, which are grounds for love, after the Infinite Good—in which the character of goodness is completely perfect—there occurs in oneself another maximal ground for love, namely, oneness, which is perfect identity. For everyone is naturally inclined to love himself after the Infinite Good; a natural inclination is always right; therefore, etc. 6

II. Replies to the preliminary arguments

To the first argument [n. 2] I say that what the Philosopher is explaining there [*Ethics* IX, 1168a30–1, 1168b15–17] is how an *immoderate* lover of self is worthy of disparagement, not a moderate lover of self. Look it up. 7

To the second argument [n. 3] I say that all those who love through charity love themselves as ordered to the Infinite Good, since they love for themselves the act or habit by which they tend toward that Good. Thus the love of this act or habit tends toward another, in that it tends toward God as the principal object of its act; nonetheless, it is also true that one has charity toward oneself, not as final object but as a proximate object ordered toward the ultimate and first object, which is distinct from the proximate object. 8

[2] Reading *scilicet se diligere Deum* (Q) for the edition's *sive quo vult se diligere Deum*.

28

Ordinatio III, d. 32, q. un. (omitting nn. 12–18)

"Does God love all things equally through charity?"

1 Concerning distinction 32 I ask whether God loves all things equally through charity.

2 Arguments for the negative:

Charity is a habit; consequently, it formally perfects a power. Therefore, it presupposes that the power is imperfect. God's will is supremely perfect in and of itself. Therefore, etc.

3 Furthermore, not all things can be loved through charity, since inanimate and non-rational things cannot be. Therefore, etc.

4 Furthermore, God does not elect everyone; he is even wrathful toward some people. Therefore, he does not love the non-elect and those toward whom he is wrathful equally with the elect. Furthermore, God does not give equal goods to everyone; but his well-pleased will is always fulfilled; therefore, he does not will goods equally for everyone.

5 Argument for the affirmative:

God understands all things equally, because he understands all things through a single formal notion. So similar reasoning applies to his loving all things through charity.

I. Reply to the question

6 In this question there are three topics we need to consider: first, that God loves all things; second, that this act is not proper to any one divine person;[1] third, that it is one act. And regarding the third topic I will discuss in what way the act is one, and whether it is equal or unequal, or how it is related equally or unequally to all things.

[1] I omit Scotus's discussion of this second topic.

A. God loves all things

A proof of the first claim: as I showed in Book I, distinction 2 [nn. 74–88], God of himself naturally understands and wills; consequently, he is capable of happiness.[2] Now in God there is no potentiality that precedes actuality, for if there were, he would be imperfect. Therefore, he is happy in actuality—and not otherwise than by willing and understanding himself, since no other object can make a rational creature happy (as I argued in Book I, distinction 1, question 2[3]). Therefore, he actually understands and loves himself. 7

That he also loves other things is proved by the fact that just as every intellect can understand any intelligible thing, so too every will can will every willable thing. Therefore, the divine will can love all lovable things, and not in potentiality before actuality. Therefore, God loves all lovable things distinct from himself. 8

One might object that if this were the case, God would love contraries at the same time, since either of two contraries has the character of something lovable. 9

The conclusion should be conceded in the case of those natures that are contrary in themselves. But God does not will that such contraries be in the same subject at the same time, because that is not something that can be loved. Yet he loves some things with an efficacious love,[4] that is, a love that at some time brings them into existence, whereas he loves other things by a simple complacent volition rather than an efficacious volition. The latter are things that he never brings into existence but are presented by his intellect as having, qua possibles, as much goodness as the things that he does love with an efficacious volition. 10

This conclusion presupposes what was proved in Book I, distinction 2 [n. 74], namely that God is formally willing. I offer one argument for that conclusion: being-willing is an unqualified perfection, because in every pair of attributes that divides being, the nobler of the two is an unqualified perfection. Now given that being is divided into voluntary and involuntary, and the voluntary is more perfect, it follows that voluntariness is an unqualified perfection. 11

B. How there is both equality and inequality in God's single act of love

The third claim is evident, because there is one power and one first object, and that power has one infinite act that is adequate for itself. And this one act need not regard all things, as though all things were required for the perfection of the act; rather, that it tends perfectly to its first terminus, and to all things with regard to which the first 19

[2] Cf. *Ordinatio* II d. 1 nn. 30–1, IV d. 49 pars 1 qq. 1–2 nn. 113–16.
[3] Cf. *Ordinatio* I d. 1. n. 15.
[4] Reading *Quaedam tamen diligit dilectione efficaci* with Q against the edition's *Quaedam etiam diligit voluntate, et hoc volitione efficaci*.

terminus is the total basis for acting, follows solely from the perfection of this act. Now only the divine essence can be the first basis for acting for either the divine intellect or the divine will, because if anything else could be the first basis, that power would be cheapened.

20 From this it is clear that there is no inequality on God's part in loving all things in terms of the comparison of the act to the agent.

21 But in terms of the comparison of the act to the things it connotes—in other words, the things to which it goes forth—there is inequality, not only because the things willed are unequal, or unequal goods are willed for them, but also because the act goes forth to them according to a certain order. For everyone who wills rationally, first wills the end; second, that which immediately attains the end; and third, other things that are more remotely ordered to attaining the end. And in keeping with this order God wills in a supremely reasonable way (not in diverse acts, of course, but in a single act, insofar as the act tends in diverse ways to ordered objects): first he wills the end, and in this his act is perfect, his intellect is perfect, and his will is happy. Second, he wills those things that are immediately ordered to the end: that is, he predestines the elect, who immediately attain the end. He does this as a quasi-reflex act, willing that others share with him in loving the same object, as I said earlier in my discussion of charity in distinction 28 [nn. 14–15] of this third Book: for someone who first loves himself ordinately (and consequently not inordinately—jealously or enviously), wills second that he have others who share in this love with him, which means willing that others have his love in them; and that is to predestine them, if he wills that they have this sort of good finally and eternally. Now third he wills those things that are necessary for attaining this end, namely, the goods of grace. Fourth, for their sake[5] he wills other things that are more remote, namely this sensible world,[6] so that it might serve them. So in this sense what is said in *Physics* II [194a34–5] is true: "Human beings are in a way the end of all things"—of all sensible things, at any rate, because it is for the sake of the human beings whom God wills in the second instant of nature that God wills all sensible things in the fourth instant, and that which is closer to the end is customarily said to be the end of things that are more remote.[7] So human beings turn out to be the end of the sensible world both because God wills the existence of the sensible world for the sake of predestinate human beings and because he wills that human beings love himself more immediately than he wills that the sensible world exist.

22 It is clear, therefore, that the inequality concerning willable things, with respect to the willed things themselves, characterizes this volition not as it issues from the one willing

[5] Reading *propter istos* with all the MSS but AP for the edition's *propter ista*. Obviously, given the way this sentence continues, Scotus is arguing that God wills the sensible world for the sake of the predestinate, not that he wills it for the sake of the goods of grace.

[6] Omitting *pro aliis* with Q.

[7] Thomas Aquinas, *Sent*. II d. 1 q. 2 a. 3 in corp.; Richard Middleton, *Sent*. II d. 1 princ. 5 q. 3 in corp.

but as it goes forth to its objects in the way I have just explained. And yet this inequality is not on account of any goodness presupposed in any objects other than God that is some sort of reason for his willing one way rather than another. Rather, the reason is in the divine will alone: for it is because the divine will accepts certain things in such-and-such a degree that those things are good in that degree, and not the other way around. Alternatively, if one grants that there is some degree of essential goodness in them as they are presented by the divine intellect, such that according to reason they ought to please the divine will in a well-ordered way in proportion to their goodness, this, at any rate, is certain: their being pleasing as far as actual existence is concerned derives entirely from the divine will, without any determining reason on their part.

II. Replies to the preliminary arguments on both sides

To the first argument [n. 2], I say that a habit has an aspect of perfection, and in that respect it is posited in God; but as requiring imperfection, because it presupposes a potency that is perfectible through act, there is no habit in God. For the habit is strictly identical with the power and the act, since everything in God is formally infinite in itself. 23

To the second [n. 3], I say that if properly speaking inanimate things cannot be loved through charity because charity is a friendship and it is not possible to have friendship properly speaking toward inanimate things, still, I can through charity have a certain sort of willing with respect to them, the sort of willing that is appropriate toward them through charity. For through charity I will that a tree exist and that the tree be of use to me in some act insofar as such an act helps me love God in himself. And in this way it can be conceded that God loves all things through charity, not with the volition of friendship, but with the sort of volition that is appropriate toward them. 24

The third argument [n. 4] succeeds in establishing inequality with respect to the goods willed for the things loved, for God does not will such great goods for the non-predestinate as he wills for the predestinate, and he does not will as great a good for those toward whom he is said to be wrathful, for so long as he is said to be wrathful toward them, as for those toward whom he is not said to be wrathful. And this inequality of love—that is, this inequality in the effect of his love—is to be conceded not only with respect to degrees of nature but also for individuals of the same species. And the reason for this inequality is not the nature in this or that thing, but solely the divine will.[8] 25

The argument for the affirmative, concerning God's understanding [n. 5], establishes equality only as the act belongs to the agent, not as it goes forth to its objects. 26

[8] Cf. *Ordinatio* I d. 41 n. 53.

29

Ordinatio III, d. 33, q. un.

"Are the moral virtues in the will as in a subject?"

1 Concerning distinction 33, I ask whether the moral virtues are in the will as in a subject.

2 Arguments for the negative:

In *Ethics* I [1103a3–5] the Philosopher says that they are in the irrational part of the soul. Now the Commentator explains that they are in the irrational part as intermediate between the vegetative and the rational.[1] It is not the will, but the sensory appetite, that fits this description.

3 Moreover, in *Ethics* III [1117b23–49] the Philosopher locates courage and temperance in the sensory appetite.

4 Moreover, see the commentary on *Ethics* VI, c. 7, "Prudence is," etc.[2]

5 Moreover, according to *Politics* I.3 [1254b4–9], "Reason rules the lower appetite with absolute authority, whereas it rules the higher appetite with political authority, that is to say, with the sort of authority exercised over free citizens, such that the appetite can be moved contrary to reason"; therefore, in order for the higher appetite to be moved pleasurably by right reason, certain virtues must be found in it.

6 Moreover, courage and temperance are said to be in the irascible and the concupiscible, respectively. There is no distinction between irascible and concupiscible in the will, but only in the sensory appetite, because the features of an object with which they have to do—namely, the arduous good and the pleasurable good—do not make[3]

[1] Eustratius, *In Eth. ad Nic.* I.18–19.

[2] Eustratius, *In Eth. ad Nic.* VI.6:

> Aristotle sufficiently explains what prudence is and how it differs from art and from scientific knowledge. Moreover, he sets forth the particular differences or powers that exist in the soul and explains how prudence subsists in them. He divides the rational soul into two: the understanding part and the opining part. . . . Thus it is shown that prudence comes about in the opining part of the soul.

[3] The edition, following AP, reads "do not always make." The 'always' makes the argument a gross non-sequitur; I follow all the other MSS in omitting it.

an intrinsic difference to an object of will but only to a sensory good, which is an object of the sensory appetite.

On the contrary: 7

"Virtue is a habit concerned with choice," according to the definition of virtue in *Ethics* II [1106b36–1107a1]. And choice is an act of either the will or reason, according to the Philosopher in *Ethics* VI [1139a22–3], "for it is either deliberative desire or [desiderative deliberation]." These belong to the will, whose act presupposes reason's cognition. A habit belongs to the power to which the relevant act belongs per se. Therefore, a moral habit belongs per se to the will itself.

Moreover, virtue has as its per se object the intrinsically worthy good, which is a per se object of the will. 8

Moreover, virtue is a principle of a praiseworthy act, according to *Ethics* II [1106a15–17]; but one does not deserve praise unless one acts voluntarily. Therefore, virtue, through which one acts in a praiseworthy way, belongs to the power to which acting freely belongs per se. That's the will. 9

I. Reply to the question

A. Aquinas's view

One view[4] is that the Philosopher answered this question in the negative, because wherever he discusses the moral virtues,[5] he seems to concede that they are in the sensory part, whereas he never says that they are in the intellect, with the exception of justice (*Ethics* V [1229a6–9, 1134a1–2]). 10

The following arguments are given for this view: 11

First,[6] the will is intrinsically determined to the good as such. For either the good as such is its proper object, as distinguished from the good-here-and-now (which is the object of the sensory appetite), or else, if the will can tend toward the good-here-and-now, it can be sufficiently determined to tend or not tend toward such a good by reason's presentation of that good (it is, after all, clear that the apprehended object, as apprehended, moves the will). And thus it makes no sense to posit a habit in the will; rather, all that is needed is for the intellect to be adequately perfected so that it presents the object in the right way.

[4] Thomas Aquinas, *ST* I-II q. 56 a. 4 ad 3, a. 5 arg. in opp.; *De virt. in comm.* a. 4 in corp., a. 5 arg. 1 in opp.; *In Pol.* I c. 10; *Sent.* III d. 26 q. 2 a. 2 in corp. Concerning justice in particular, see *Sent.* III d. 33 q. 2 a. 4 qc. 3 in corp.; *De virt. in comm.* a. 5 in corp.

[5] Reading with Q. The edition has "in the negative, or otherwise he spoke inadequately about the moral virtues, for wherever he discusses them."

[6] Thomas Aquinas, *De virt. in comm.* a. 5 in corp.; *Sent.* III d. 23 q. 1 a. 4 qc. 4 in corp., d. 33 q. 2 a. 4 in corp.; *ST* I-II q. 56 a. 6 in corp., q. 57 a. 5 in corp., q. 58, a. 4 in corp.; *In Eth.* VI c. 10.

12 Second,[7] there is an argument based on the freedom of the will. Because the will, which is free, can sufficiently determine itself, it does not require anything else to determine it. There is a different way of arguing this same point:[8] if the will acts freely, then being determined to action is incompatible with the nature of the will.[9] But virtue inclines after the manner of nature. Thus, virtue is incompatible with the will's manner of acting, and so there is no virtue in the will.

13 Third,[10] because "where there are extremes, there is an intermediate,"[11] it follows that where there are excessive passions, there is virtue, which "moderates the passions."[12] Passions are in the sensory appetite, not in the will.

14 Fourth,[13] if there could be virtue in the will resulting from upright acts of will (which are distinct from acts of the sensory appetite), it would follow that an angel could acquire moral virtues from its upright moral volitions.[14] That conclusion seems untenable, and it is contrary to the explicit position of the Philosopher in *Ethics* X [1178b8–18], where he denies that separated substances possess moral virtues.

B. Henry of Ghent's view, which refutes Aquinas's

1. HENRY'S VIEW IN ITSELF

15 This view is refuted by arguments similar to those offered in favor of the view:

The first[15] is based on the authority of Aristotle. For in *Politics* I [1260a14–20] he says, "The ruler must have virtue in order to rule rightly, a more preeminent virtue than the slave must have in order to obey rightly"; and he assigns the ruler's virtue to the higher part of the soul and the slave's to the lower part.

16 Moreover, they concede that justice is in the will [n. 13]. Therefore, the general arguments about the will and moral virtue [nn. 11–14] are not conclusive. And the authoritative passage from the Philosopher in *Ethics* I [1102b30–1] about what can obey reason should not be understood to be exclusively about the sensory appetite, because if that is all Aristotle means by what can obey reason, his division of the soul insofar as it is capable of moral virtue is inadequate. And thus, given his aim in discussing the soul, his division is inadequate; for he is discussing the soul insofar as it can acquire moral virtue, and in fact the soul can acquire justice. And that, at any rate, is enough to show that the

[7] Thomas Aquinas, *ST* I-II q. 13 a. 2 in corp; *De veritate* q. 22 a. 5 in corp., a. 6 in corp.

[8] The argument that follows is not found in Aquinas; Scotus has assembled it from remarks found in *ST* I-II q. 10 a. 1 ad 1, a. 2 in corp., and a. 3 in corp.

[9] Reading *si libere agit, repugnat sibi determinari ad agendum* (Q) for the edition's *si libere agit ex se, repugnat sibi 'velle determinate', ipsam inclinans ad agendum*.

[10] Thomas Aquinas, *In Eth*. II c. 6; *De virt. in comm.* a. 4 in corp., a. 5 in corp.

[11] *Eth. Eud.* III.4, 1231b34–35.

[12] Thomas Aquinas, *ST* I-II q. 59 a. 4 in corp., a. 5 ad 1, II-II q. 123 a. 4 ad 2.

[13] Scotus derives this argument from Thomas Aquinas, *De virt. in comm.* a. 5 in corp.

[14] Reading with Q. The edition has "from its upright volitions of moral virtues."

[15] Henry of Ghent, *Quodl.* IV q. 22 in corp.

soul can acquire moral virtue; but as they themselves understand that twofold division, justice belongs neither to reason nor to what can obey reason.[16]

17 Moreover, before the definition of virtue, around the middle of Book I [1097b34–1098a5], the Philosopher says the following, with the purpose of investigating the nature of happiness: "Excluding, therefore, the nutritive part, what comes next is the sensory part, which is evidently common to all animals. There remains an active part: one part of which acts as responsive to reason's persuasion, the other part of which acts as possessing reason and understanding." On the basis of this text it is clear that Aristotle first excludes the sensory part, since in that part there is no activity of a human being as human being, and activity in accordance with the moral virtues is precisely that sort of activity. Consequently, the moral virtues are not to be located primarily in the sensory part. Therefore, what is left—that is, the active part in one who has reason—is in and of itself a part of the soul that outstrips the whole sensory part. And Aristotle divides that part into a part that has understanding and a part that is responsive to reason's persuasion; since clearly by "the part that has understanding" he means the intellect, he must understand "the part that is responsive to reason's persuasion" as the will.

One can see very explicitly in his writings that he sometimes describes the will as "capable of obeying reason," but he also sometimes describes the sensory appetite as "capable of obeying reason," as he does at the end of *Ethics* I. There are two ways of understanding 'capable of obeying reason,' corresponding to the two ways of understanding 'rational.' 'Rational' can be understood strictly and in its primary sense, as applying exclusively to the intellect; it can also be understood neither strictly nor in its primary sense, and yet in an unqualified sense, as applying to the will. (It applies to the sensory appetite in a third way, not properly but merely transumptively.) So that intermediate part, the will, is sometimes described as 'rational' on the basis of one extreme, sometimes as 'capable of obeying reason' on the basis of the other extreme. For if we take 'reason' strictly, the will is responsive to reason's persuasion; but if we take 'reason' more broadly (though not improperly, but just for what belongs to mind), the will is itself rational. The sensory appetite, however, is not responsive to reason's persuasion, but capable of obeying reason.[17] These descriptions can be easily established: what is truly free is responsive to reason's persuasion, not (properly speaking) capable of obeying reason;[18] whereas the sensory appetite, which is not free, is not properly responsive to reason's persuasion, but capable of obeying reason, because it can be subject to reason's command.

[16] Reading with Q.

[17] Reading *Appetitus autem sensitivus non est persuasibilis a ratione sed obedibilis rationi* with Q. The edition has *Appetitus sensitivus non tantum est persuasibilis, set etiam obedibilis est*. Since Scotus goes on to *distinguish* "responsive to persuasion" from "capable of obeying," and to say that the former does not, whereas the latter does, characterize the sensory appetite, the edition's reading cannot be correct.

[18] Reading *sed non proprie obedibile* for the edition's *sed non proprie persuasibile sed obedibile* (A).

18 Furthermore, many authorities can be cited in favor of this position:

One is Augustine, *On the Morals of the Church* I.15, where he claims that the four moral virtues are nothing other than well-ordered love, or well-ordered loves. Look it up there.

19 Augustine speaks about this at great length in *City of God* XIV.5–6. Look it up there.

20 Avicenna speaks about this in the last chapter of *Metaphysics* IX.

2. AGAINST THE ARGUMENTS FOR AQUINAS'S VIEW

21 Furthermore, the arguments offered in support of the first view can be used to support the opposite conclusion:[19]

22 The first argument [n. 11] does so as follows: the will is undetermined to opposites—not merely to opposite objects, but to opposite ways of acting, that is, to acting rightly and not rightly. Therefore, the will needs something determinative inclining it to act rightly, and that will be a virtue. The inference is evident: the only reason there is any need to posit virtues in powers is so that they can regulate powers that in and of themselves can act both rightly and not rightly. Proof of the antecedent: the will can choose anything presented to it in which the character of its primary object is presented; but in choosing such things, it can act not rightly.

23 Now you might say,[20] "it is sufficient [for right action] that reason present the object rightly; therefore, there is no need for virtue in the will, but only in reason." But that's false, because then it would have to be the case that reason is mistaken in its presentation of the object before the will chooses wrongly, and thus before the first sin in the will there would be error in the intellect—which is irrational: it would mean that there was punishment before there was any guilt.[21]

24 Moreover, even if one granted[22] that the will could be sufficiently determined through the intellect to choose rightly, it does not follow that no habit is generated in the will.[23] For[24] the intellect is more determined to judge rightly [than the will is to choose rightly], since insofar as the intellect has an activity prior to the will's act,

[19] Henry of Ghent, *Quodl.* IV q. 22 in corp.

[20] Thomas Aquinas, *ST* I-II q. 8 a. 2 in corp., q. 13 a. 1 in corp., a. 6 in corp., q. 15 a. 4 in corp., q. 19 a. 3 in corp. and ad 1, a. 4.

[21] See Henry of Ghent, *Quodl.* I q. 17 in corp.; Scotus, *Lectura* II d. 25 nn. 33–5, 40–3.

[22] Thomas Aquinas, *De virt. in comm.* a. 6 in corp.; *Sent.* II d. 24 q. 3 a. 3 ad 2, III d. 33 q. 1 a. 1 qc. 2 in corp.; *ST* I-II q. 58 a. 4 in corp., a. 5 in corp.

[23] Reading *ea* (=will) with ZBQ for the edition's *eo* (=intellect). Since the argument he's refuting purports to show that there is no habit in the will, it would hardly be germane for him to respond by saying that there can be a habit in the intellect. And the argument he proceeds to give is obviously an argument for positing a habit in the will.

[24] The edition, rejecting the unanimous reading of the MSS, instead has the following: "it does not follow that there is not generated in it [the intellect] a habit with which the intellect is more determined to judge rightly."

it acts purely naturally. And yet no one denies that a habit for judging rightly—namely, prudence—is generated in the intellect from frequent acts. So since the will is not, in and of itself, a power that is more determined to one than is the intellect, a certain upright disposition inclining the will to similar acts can be generated from frequent elicited acts of will. I call that a virtue.

Moreover,[25] habits are not posited only to enable powers to act rightly, but also to 25
enable them to act readily and with pleasure.[26] Now even if the will could be determined by reason to choose rightly, it could not be determined to do so readily and with pleasure without a habit of its own. A proof of this: suppose someone who was formerly vicious begins to be called back toward good, and his right reason dictates that he choose something contrary to his vice; if he does choose accordingly, he won't do so with pleasure. For his whole vicious habit is not corrupted right away in that first act; indeed, it is hardly, if at all, diminished. This is obvious from experience: someone newly converted chooses what is good with difficulty, and it would be pleasant for him to choose in accordance with his prior bad pattern of behavior. Therefore, in order for the will to have pleasure in doing what reason dictates, it needs a habit for eliciting an act that conforms to that habit.

So to the first argument [n. 11] I respond that it equivocates on "the good as such." 26
That can be understood either as contrasted with the apparent good or as contrasted with some particular good. If understood in the first way, the good as such is not the adequate object of the will, because in that case the will could not have an act concerning an apparent good; for no power can have an act concerning something in which the character of its first object is not found. And thus the will of every wayfarer would be confirmed [in perfect goodness] just on the basis of its object, or prevented from the possibility of sinning. If "the good as such" is understood in the second way, it can be conceded that the good qua good is the object of an appetitive power[27] and of its associated cognitive power. Now sense (according to the received opinion) cognizes the singular, and intellect cognizes the universal. Therefore, the sensory appetite has as its object the good-here-and-now—that is to say, the singular good with its individuating conditions—whereas the will has as its object the good as it is presented to the will by the intellect, which is the universal good and the good as such.

As for the further point made in that argument, that all that is needed is for reason to 27
present the object rightly, that is contrary to the following: "Error: that the will cannot act contrary [to the intellect] either concerning the universal or concerning the particular."[28]

[25] Henry of Ghent, *Quodl.* IV q. 22 in corp.
[26] Aristotle, *Nic. Eth.* I.9, 1009a14; II.5, 1106a15–17; Scotus, *Ordinatio* I d. 17 n. 7.
[27] Reading *appetitivae* with the majority of MSS. The edition, reading with A, has *appetibile a voluntate*.
[28] Cf. Condemnation of 1277, a. 129.

28 Here is how the second argument [n. 12] is used to support the opposite conclusion. Something that has action within its power needs to be disposed through virtue more than something that does not have action within its power. For something that does not have action within its power does not act in a praiseworthy or blameworthy way, whereas something that does have action within its power does. Therefore, it needs that through which it can act in a praiseworthy way: and that is identified as a virtue. Now the will has its own action within its power, and the sensory appetite does not. Therefore, etc.[29]

29 It also seems incredible that the very thing on account of which human beings are praised for their actions is in them strictly according to what they have in common with non-rational animals.[30]

30 And it won't do to argue here that a natural agent is determined to acting, and therefore so is the will, because the will is a power that acts naturally.[31] For everyone agrees that there are no habits in purely natural agents, because they are already inclined as much as they can be, in and of themselves. By contrast, people agree that there can be a habit in the intellect (which acts more naturally than the will does) because the intellect is not inclined as much as it can be, in and of itself. And that lack of determination does not derive from the imperfection of the active power, but rather from its lack of limitation, which is a perfection of an active power. Other, purely natural, active powers are limited to one in such a way that they cannot act in a contrary, or at any rate in a contradictory, way. The will is not limited in this way, as was said in Book II, d. 25.[32]

31 And the other proof that is added there—that virtue inclines after the manner of nature, which is contrary to the will's manner of acting—would establish[33] that charity and hope aren't in the will either, which is contrary to the universal consensus of theologians.

32 So in reply to those two proofs [n. 12]:

In reply to the first: although the will in virtue of its freedom can determine itself in acting, nonetheless, it is capable of receiving, as a consequence of its action, a certain disposition that is left behind in it and inclines it to similar action. For that unique determination of the will is not through a natural form (the sort of operative form there is in fire); rather, it results from free action, which proceeds from a power that is indeterminate and is thus capable of being determined through a habit.

[29] The whole paragraph reads with Q. [30] Thomas Aquinas, *ST* I-II q. 13 a. 2 ad 2–3.
[31] Cf. ibid. in corp.; *De veritate* q. 22 a. 5 in corp. [32] *Lectura* II d. 25 nn. 37, 93.
[33] Reading with Q. The edition has "after the manner of nature—is not valid, because it would establish *contra eos*" [where *contra eos*, which appears only in ANY, presumably means "contrary to the views of the very people offering the argument"].

The reply to the second proof is evident from what I said in Book I, d. 17 [nn. 32, 40, 69–70], and Book II, d. 25,[34] about how a secondary cause that acts naturally can concur with a prior cause that acts freely, and how the effect is said to be free in virtue of the freedom of the principal cause, whereas a habit—if it is even a cause of the substance of an act—is a secondary cause with respect to the will. 33

Here is how the third argument, the one about moderating the passions [n. 13], is used to support the opposite conclusion. 34

For one thing, there are passions in the will, according to Augustine in *City of God* XIV.5–6. So if for the sake of moderating passion virtue has to be posited in the highest part of the power in which passion is located, it follows that because there are passions in the highest part of the soul—that is, the will—virtues are posited in the will.[35]

Moreover, moderating a passion can be understood in two ways: moderating a present passion, or moderating a future passion. 35

There are two ways in which a present passion can be moderated. One is by diminishing the passion that is apt to be caused by the object in itself, so that the passion is not immoderate in the way that the object would be apt to please the sensory power if that power were left to itself. The other is to refer that pleasure to an end that is suitable according to right reason, and to which that pleasure would not be referred simply in virtue of the absolute character of the object of the sensory appetite.

Moderating a future passion can be understood as either avoiding an object that is apt to give immoderate pleasure or as having dealings only with objects that are apt to give moderate pleasure. In these cases a future passion is not moderated in itself; rather, one takes precautions so that no immoderate passion comes to be present.

No matter in which of these ways one understands moderating passion, it can characterize the will more than the sensory appetite, if passion is or will be in the sensory appetite. 36

As for a present passion, if it is possible for it to be diminished, the will, because it acts freely, is more able to diminish it than is the sensory appetite, which is acted on by the object (or acts in cooperation with it) to the utmost extent possible. And the will is more able to refer something to an end consonant with right reason than is the sensory appetite, since the will is reason's own appetitive power and is thus properly

[34] *Lectura* II d. 25 nn. 69–74.

[35] Reading *Igitur si propter moderationem passionum ponenda sit virtus in supremo ipsius potentiae in qua est passio, sequitur quod cum <in> suprema parte animae, scilicet voluntate, sint aliquae passiones, quod ibi ponentur virtutes* with Q. The edition has *et propter hoc, si propter actionem et passionem ponenda sit virtus in illa potentia in qua est passio et actio voluntatis, sequitur quod cum passiones aliquae sint in suprema parte animae, quod ibi ponantur virtutes*. The intrusion of *actio* into an argument that has been about *passio* is puzzling, though it appears in almost all the MSS. Q's reading is preferable as giving a response that is fully germane and introduces no irrelevant ideas.

capable of relating something to the end that reason presents. Indeed, use, which is referring something to an appropriate end, is not an act of the sensory appetite, but of the will. For properly speaking one does not say that sensory powers relate one thing to another, as will, intellect, and reason do.

If we're talking about taking precautions against immoderate passions and allowing only moderate passions, it seems perfectly clear that the will is more able to have an upright act concerning the future than the sensory appetite is, because the cognitive power associated with the will—namely, reason—can deliberate about future things, but sense cannot.[36]

37 So it is clear how these arguments given for the view I am opposing can be made into arguments for the opposite of that view: (1) because the will is not upright in and of itself but can be made upright with respect to its proper operation, (2) because the will is indeterminate and can be made determinate no less than the intellect (which can have habits, as everyone agrees), (3) because the will is apt to have its own pleasure in its own operation and thus to have a habit by which it acts with pleasure, (4) because the will, being free, has the principal role in performing human actions, and praiseworthy human actions require virtue, the ground of praise, in their principal agent, (5) because the will is more able to moderate passions through a habit in the requisite way than the sensory appetite is (if the sensory appetite even has passions).

3. AGAINST THE CONCLUSION OF AQUINAS'S VIEW

38 In addition to these arguments [nn. 15–37], there is the following argument against one who holds this view. Given that, according to him, in the state of innocence there would be no passion in the sensory appetite opposed to right reason,[37] it would not be necessary to posit virtue in that sensory appetite. And yet there would have been virtues in that state, because human beings in that state would have been perfect through the virtues, as the Master says in this distinction.[38]

39 The authority of Augustine in *Letter* 35 or 36[39] speaks in favor of this conclusion.

40 Also, Augustine says in the *Soliloquies* [I.6.13] that "perfect reason is the soul attaining its end."

41 Also, *City of God* XI.15.[40]

[36] The edition notes: Scotus does not turn the fourth argument [n. 14] on its head here, but he gives it a fuller statement below [nn. 46–7] and then subjects it to examination [nn. 49–56].
[37] *ST* I q. 95 a. 2 in corp. [38] Peter Lombard, *Sent.* III d. 33 c. 1 nn. 2–3.
[39] Augustine, *Epist.* 155, *ad Macedonium* c. 3 n. 12.
[40] Augustine, *De civitate Dei* XIV.6, XV.22.

Also, the Master identifies acts that can remain in heaven; they are not acts of the 42
sensory appetite.[41]

C. Scotus's view

In reply to the question it can be said that although the will could have an upright and 43
morally good act without any habit, and the intellect can make a right judgment without any intellectual habit (indeed, the intellect's first right act and the will's first upright act precede any habit of whatever degree, since any habit is first generated from acts), nonetheless, just as the habit of prudence is generated in the intellect either from its first act or from several elicited acts, so too an upright virtue, inclining the will to choose rightly, is generated in the will either from its first upright choice in conformity with a dictate of right reason or from several upright choices.

Proof: the will's choosing is naturally prior to will's or reason's giving any command 44
to the sensory appetite. For it seems that reason affects the sensory appetite only through the mediation of the will, which is properly rational appetite; and the will wills something in its own right before it commands a lower power to act with respect to[42] that thing. After all, it's not because the will commands an inferior power that the will wills something, but the other way around. So in that prior stage, the will can, through upright choices (for the will is every bit as indeterminate and capable of becoming determinate as the intellect is), generate a habit in itself that inclines it to choose rightly. And a habit in the will is a virtue in the most proper sense, since it is in the most proper sense a habit concerned with choice that inclines one to act [rightly], the sort of habit that is generated through upright choices.

It can, however, be conceded that if the will, in willing, can command the sensory 45
appetite either in moderating its passion or in commanding pursuit or avoidance as[43] acts of the sensory appetite, through those upright commands the will can leave behind a habit in the sensory appetite, a habit that inclines the sensory appetite to be moved pleasurably toward similar things by reason's command. And although this habit that is left behind is not properly a virtue, because it is not a habit concerned with choice or a habit that inclines toward choosing, one can nevertheless concede that it is a virtue in some sense, because it inclines toward those things that are consonant with right reason.

D. Objections to Scotus's view

Against the first point [nn. 43–4] one might object that if this were the case, there 46
could be moral virtues in an angel [cf. n. 14]. Proof: an angel can have upright willings concerning things that are apt to cause passions in the sensory appetite, and

[41] Peter Lombard, *Sent.* III d. 33 c. 3 nn. 1–4.
[42] Reading *circa* with ZNYQ for the edition's *contra.*
[43] Reading *sicut* with Q for the edition's *si sint*, and repunctuating.

thus a virtue would be generated in the angel as a result of many such upright willings. Confirmation: there can be upright choice not only regarding passions that are present in the sensory appetite but also regarding passions presented by the intellect, even if those passions never will be and never have been present, as was discussed in the question on practical science in the prologue to Book I.[44] Therefore, through such choices a virtue is generated in the will, with no counterpart in the sensory appetite.

47 Moreover, if moral virtue were in the will, then the will would be nobler than prudence, because the perfection of a nobler perfectible is a nobler perfection.[45] The consequent is contrary to the Philosopher in *Ethics* VI [1143a8–9]; therefore, so is the antecedent.

48 Against the second point [n. 45] one might argue that if a quality inclining the sensory appetite to similar acts can be generated in it solely from being moved by the will's command, and that quality is a virtue, then by parity of reasoning a moral habit could be generated in the body if it is frequently moved by the will's command—and not only in the body, but in inanimate and non-rational things that the will uses.

E. Response to objections

49 To the first objection [n. 46] it can be conceded that if an angel were created in a purely natural state, not having moral virtues in the will, they could be generated in the angel through many upright choices—not of course regarding passions present in the sensory appetite (and also not regarding passions that were or will be or can be present), but only concerning such passions presented in the abstract by the intellect. If the intellect made such a presentation and dictated that one should choose thus-and-so when experiencing those passions (supposing one had the capacity to experience them), the angel's will could, as a result of many choices, have an upright moral habit consonant with such a dictate.

50 Proof of this: First, any will that does not necessarily lack a perfection suitable for a will can suitably have any perfection that can characterize a will. Now willing something good in the domain of possible actions, not only for oneself but also for another (and this not only with reference to the divine good, but insofar as it is a good belonging to the agent himself) is a perfection that can characterize a will. And an angel's will is not necessarily imperfect. Therefore, it is possible for an angel to possess a habit by which he wills for me the good of temperance as a good that is suitable for me. This habit can't be called charity because (as I have said) it is not concerned exclusively with a good ordered to loving God; it is directed at what is good about temperance distinctively. And this habit is none other than temperance, because the formal character of a habit does not vary depending on whether it is

[44] *Ordinatio* prol. n. 288. [45] Ibid. n. 353.

"for me" or "for you." Therefore, just as I choose this good for myself by what is formally the habit of temperance, so too someone else can will this good for me by a habit of the same character. And thus in the angel there will be temperance by which he wills this good for me.

And in this same way, it can be inferred that the character of the moral virtues can be posited in God, in the same way that everyone concedes that there is charity in God, though without its accidentality.[46] 51

And thus on the basis of this argument about angels [n. 46], which is offered as a refutation of my position, one can actually produce an argument in its favor: for an angel's will can will for me the good that is my own habit of temperance qua this particular sort of good; therefore, he can will that through a habit of temperance, as I have argued [n. 50]; and thus there will be temperance in the angel—and not in a sensory part, so in another part [namely, the will]. 52

And if someone should object that this is contrary to the Philosopher, who in *Ethics* X [1178b8–18] denies that the gods possess moral virtues, I reply: perhaps he denied that they possess any accidental habit because he held, as others did,[47] that they are naturally good. 53

Alternatively, if you don't like positing moral virtues in them, you could deny the inference made in the argument offered against my position [n. 46]. This could be done in either of the following ways: 54

One way is to say that virtue does not concern just any good, but good that is difficult; and this sort of good, which is said to be an object of virtue,[48] is difficult only for someone who has a sensory appetite that is apt to be drawn to something opposed to that good, at least with respect to some circumstance. And in virtue of the sensory appetite's being inclined in this way, the will is apt to share in the sensory appetite's pleasure in that same thing. As a result, it is difficult for the will to tend to a good characterized by all the appropriate circumstances.[49] Now the will of an angel, who has no sensory appetite, is not apt to share in the pleasure of a sensory appetite,[50] and thus it tends without difficulty toward the moral good, that is, a good characterized by the right circumstances.

[46] By way of explaining what is meant by 'accidentality,' the edition cites Peter Lombard for the claim that divine love is not susceptible to variation in intensity (intension or remission). Alternatively (and, it seems to me, more plausibly), Scotus means that charity is not an accident in God.

[47] Augustine, *De civitate Dei* IV.18.

[48] The edition has "which is said to be this sort of object of will." All the MSS but AZ omit "this sort of"; Q alone has "virtue" for "will."

[49] Reading *bonum debite circumstantionatum* (SBQ) for the edition's *bonum indebite circumstantionatum.*

[50] Reading *Voluntas autem angeli non est coniuncta appetitui sensitivo, non est nata condelectari sibi* with Q.

55 The other way is to say that there are two kinds of volition: simple volition, which is a kind of taking-pleasure in an object; and efficacious volition, by which the one willing makes an effort to obtain the thing willed for himself unless he is prevented from doing so. Only the second properly counts as choice in the way that the Philosopher speaks of it in *Ethics* III [1111b20–3]: "There is will of impossible things, but not choice." For no one chooses—that is, efficaciously wills and as a result makes an effort to obtain—what is impossible, though perhaps someone could will impossible things in the sense of a simple taking-pleasure in them. (Perhaps that's how the first angel sinned, or could have sinned, by willing something impossible, namely, equality with God.)[51]

56 So it can be said that in things that have a sensory appetite, the will can be the principle of many choices with respect to the moral good, and this efficacious volition is choice, which alone is apt to generate a habit. That habit, though prior to any habit in the sensory appetite, is nonetheless apt to be a principle for commanding the sensory appetite. By contrast, in an angel there can be simple volition, but not a volition apt to command.

57 In reply to the second objection [n. 47]: although it could be said that not every perfection of a nobler perfectible power must itself be nobler—for in a nobler power there can be a perfection that is less noble than some perfection in a less noble power—it must nevertheless be the case that the highest perfection of a nobler power exceeds the highest perfection of a less noble power. But moral virtue is not the highest perfection of the will, and prudence is not the highest perfection of the intellect. Rather, charity is the highest perfection of the will and faith is the highest perfection of the intellect, and charity evidently exceeds faith.

58 But that response does not seem adequate, because a nobler power evidently has a nobler act with respect to one and the same object when both powers act to their utmost. For in that sort of case, neither power exceeds the other in terms of the object (since it's the same object), but only in terms of the powers: and it is precisely in that respect that the nobler power exceeds the less noble. Therefore, since both the practical intellect and the will have an act concerning the moral good, which is one and the same object, if both of them act perfectly (the intellect in dictating and the will in choosing), the correct choice will be unqualifiedly nobler than the correct dictate. And consequently the habit generated from correct choices will be unqualifiedly more perfect than the habit generated from correct dictates[52]—which I concede.

[51] See *Ordinatio* II d. 6 n. 11.

[52] Reading *habitus generatus ex electionibus rectis erit nobilior habitu generato ex dictaminibus rectis* with NYQ. The edition reads *habitus generatus ex electionibus erit perfectior simpliciter habitu generato ex actibus nobilioribus*, which is manifestly incorrect, since it implies that correct dictates are nobler than correct choices, which Scotus has just explicitly denied.

As for the Philosopher's ranking prudence higher [n. 47], I reply that prudence is in a 59
certain way the rule of other virtues, to the extent that it, or its act, is prior in generation to the habit and act of moral virtue. And in virtue of this priority, moral acts and habits are conformed to prudence[53] as something prior, rather than the other way around. This priority is evidently what supports the Philosopher's conclusion that prudence has the character of a rule and measure and, as such, has dignity; but it does not follow that prudence is unqualifiedly of greater dignity.

In reply to the third objection [n. 48] I concede that there can be virtue and habit on 60
the part of the body, as is clear in the case of the hand of a writer and a painter. For my unpracticed hand lacks the skill for such an activity or for facility in playing the lute; but after practice, it has skill, and that has to be a skill that inheres in the hand. It is granted and conceded that such skill is a virtue, because it is a quality that confers skill for a work of moral virtue. The same point is conceded for something nonrational, such as a horse, that has developed skill for certain acts for which it has been trained. Such skill is not found in purely inanimate objects: a stone can't develop a facility for being thrown upward more easily.

II. Replies to the preliminary arguments

Replies to the preliminary arguments: 61

In response to all the authorities [nn. 2–5] I concede what they assume, namely that in the sensory appetite there is a certain quality that can be called a virtue, though it has the character of a virtue less completely than the quality that is in the will inclining it to choice.

In response to that last argument, the one about the irascible and concupiscible [n. 6], 62
I say that they are not only in the sensory appetite but also in the will. And as for your objection about difficult and pleasurable objects—whether those are the objects or not will be considered in the next question[54]—a distinction on the basis of those objects can be found in the will in just the same way as it is in the sensory appetite.

To a further argument, which contends that the will is adequately perfected by 63
theological virtue,[55] I reply that this is true concerning the divine good, but not concerning anything else, unless that is ordered in turn to loving God (so that no act is elicited by charity unless its ultimate object is God), though it may be so ordered through other intermediate objects. But I can not only ordinately will good for myself by willing ordinately that I will God, I can also ordinately will this particular good inasmuch as it has such-and-such goodness suitable for me according to its own

[53] *sibi*: the edition comments "scil. virtuti morali," but this is surely a mistake.
[54] *Ord*. III d. 34 nn. 38–49.
[55] The argument to which Scotus responds here is missing from the beginning of this question but can be found in *Lectura* III d. 33 n. 6.

nature. And willing this particular good in the latter way belongs to the will in virtue of a habit other than charity.

64 And if you should object that that habit will not be a ground for referring something to God, and therefore it will not be upright, because its act is evidently one of enjoying a created good, I reply that an inferior habit does not of itself have the act of a superior habit. Now charity, which is a superior habit, has the act[56] of referring immediately to God; therefore, no other habit properly has this referring of itself, but only has from itself its own proper act of loving this particular good, which ought in turn to be referred to God through charity. And it does not follow from this that the inferior habit is bad, or that it is a principle of enjoying a created good, because even if it does not refer, negatively, the created good to what is to be enjoyed, it is not the case that it refers it contrarily, that is, repudiating its being referred to God. And enjoying [a creature] includes more than simply not referring it, negatively; it includes the opposite of referring, which is using the creature contrarily, as was discussed in Book I, d. 1, "On enjoyment."[57]

65 In reply to the argument from the *Politics* about rule with absolute authority [n. 5], it is said[58] that the Philosopher thought the condition of corrupt human nature was the condition of human nature as originally established.

66 But in fact this matter was treated differently in Book II.[59] There I discussed how the inferior appetite was apt to have its own pleasure and how it could be moved harmoniously by the will, though in such a way that some virtue could be posited in each appetite—unless perhaps original justice gave the will more complete sway over the sensory appetite and the will could use the sensory appetite straightaway as its slave. (But even so, that would evidently not be enough to save the claim that the sensory appetite would experience pleasure, however complete the will's control, unless there were in the sensory appetite some habit inclining it to such a motion, just as I could generate in myself some moral virtue by willing that you choose rightly with respect to some passion.)

67 The one who takes this approach distinguishes between will as nature, will as free, and will as deliberative.[60]

68 He denies that will as nature has any virtue, because it tends naturally to the end and to every good that is presented to it in such a way that the end shines forth in it; on account of such determination, no virtue is required in the will as nature.

[56] Reading *actum* with PSZBQ against the edition's *habitum*.
[57] *Ord.* I d. 1 nn. 16, 66, 68, 180, 186; cf. II d. 41 nn. 10–11.
[58] Henry of Ghent, *Quodl.* IV q. 22 in corp.
[59] *Ord.* II d. 29 nn. 8–18.
[60] The arguments that follow derive from Henry of Ghent, *Quodl.* IV q. 22.

Nor is there any virtue in the will as free, because virtue inclines after the manner of 69
nature, and the will as free is not apt to be moved naturally. For if it could be inclined naturally, then the will as free could be necessitated.

So there will be a moral habit in the will in the third way, as deliberative with respect 70
to things that are for the end, and not with respect to the end itself.

He adds that virtue moves after the manner of nature, because it moves suddenly. 71
That's why, as the Philosopher says in *Ethics* III [1115a32–4], "Someone who is undaunted in the face of sudden danger appears courageous above all others."

Against this: 72

First, the will as nature elicits no act, as was explained in Book III, d. 15.[61] Therefore, the will as nature does not tend toward any object—the end or anything else—through[62] an elicited act, but only through a natural inclination, in the way that what is heavy is said to tend downward even if in fact it is resting up high.

Against the other two: one evidently includes the other, for the will as deliberative is 73
free. For it is called deliberative either insofar as it commands deliberation or insofar as it chooses in light of prior deliberation, and both of these characterize the will as free, since it commands that deliberation freely and it chooses freely.[63] And it follows from this that to deny virtue in the will as free and affirm virtue in the will as deliberative is a contradiction.

And the argument that virtue is not in the will as free, because if it were, the will could 74
be necessitated [n. 69], fails. For a higher agent that has power over the act of a lower agent cannot be necessitated by the lower agent. And virtue—if it is an agent in any way—is a lower agent, as was discussed in the material on habit in Book I, distinction 17 [nn. 53, 66–7]. And it was also explained there how there is no contradiction between the will's acting freely and a habit's acting in the will after the manner of nature with respect to one and the same effect [I d. 17 nn. 28–30].

In just the same way one could also disprove the claim that there is no virtue in the 75
will as deliberative, if it is true that virtue acts suddenly, forestalling deliberation [n. 71]. For the will as deliberative evidently does not act suddenly or forestall deliberation.

But one should not rely on this, because the word 'suddenly' needs explanation. For 76
in an absolute sense no one acts virtuously except on the basis of deliberation. For just as one does not act in a properly human way unless one acts with understanding,

[61] *Ord.* III d. 15 nn. 48–50. Cf. II d. 6 nn. 55–7, d. 39 nn. 22–4.

[62] Reading *per* with BQ against the edition's *in* (which would require "tend toward an elicited act," which cannot be correct).

[63] Reading *libere imperat illam deliberationem et libere eligit* with Q against the edition's *libere imperat electionem.*

so too, with regard to what is for the end, one does not act in a properly human way unless one understands that for the sake of which one acts: and that understanding is precisely deliberation. Hence, a virtuous person does not act suddenly and without deliberation in the way that (according to *Physics* II [199b26–31]) nature acts.

77 So what the Philosopher says [n. 71] should be understood as meaning that just as a virtuous person, when an object is presented, is inclined to choose rightly in virtue of an upright habit, so too he is ordered through prudence to make straightaway a correct dictate concerning what is to be chosen; he is so swift in forming his practical syllogism that he deliberates more or less imperceptibly. Someone else who lacks this perfection forms a practical syllogism with difficulty and with some lapse of time, because he does not possess habits in a perfect and practical way. And if nonetheless he does choose rightly, he is not said to act suddenly, but sluggishly; and the other, perfect person is said to act suddenly, because he seems to act suddenly by comparison with the imperfect person, because he acts in a more or less imperceptible amount of time.

30

Ordinatio III, d. 34, q. un., nn. 1–5, 24–38, 45–83

"Are the virtues, gifts, beatitudes, and fruits the same habits?"

Concerning distinction 34 I ask whether the virtues, gifts, beatitudes, and fruits are the same habits. 1

For the affirmative: 2

See what Gregory says in commenting on this passage from Job [1:2]: "Seven sons and three daughters were born to him."[1]

Furthermore, if they were distinct from each other, no habit of one sort would be identical with a habit of another sort. The consequent is false, because courage is a gift and courage is a virtue. 3

Someone might object[2] that the two courages differ in their essential nature. But on the contrary: they have acts of the same essential nature. 4

For the negative: 5

The number of gifts is not the same as the number of beatitudes. And clearly the things enumerated are not concordant, because something is a beatitude that is not a gift, something is a gift that is not a virtue, and so on.[3]

I. Scotus's view

A. In this life there is no need for any habits other than the theological and cardinal virtues

In response to this question it can be said (though without asserting it) that the only habits that are needed in this life are the intellectual, moral, and theological virtues. 24

[1] Gregory, *Moralia in Iob* I c. 27 n. 38: "Indeed, seven sons are born to us because—through the conception of good thought—the seven virtues of the Holy Spirit arise in us." Cf. ibid. XXXV c. 16 n. 42.

[2] Thomas Aquinas, *ST* I-II q. 68 a. 1 ad 1.

[3] For reasons of space I omit nn. 6–23, in which Scotus discusses the views of Henry of Ghent, Bonaventure, and Thomas Aquinas.

1. PROOF OF THE VIEW

25 This is shown in the following way:

Natural reason shows the necessity of an intellectual habit that perfects the intellect in the speculative domain, and a habit that perfects the intellect in the domain of action. Thus we can establish a speculative and a practical intellectual habit.

26 In a very similar way natural reason shows the necessity of a habit that perfects the appetite with respect to things that are desirable for one's own sake and another that perfects the appetite with respect to things that are desirable for another's sake. Thus we establish the first distinction within appetitive virtue: a virtue that orders the appetitive power in acts that concern oneself and another that orders it in acts that concern another.[4]

27 Perhaps natural reason shows that human beings are not sufficiently perfected by these habits, along the lines of the argument in the first question of Book I, which tried to show the necessity of some cognition other than acquired cognition.[5] But whether that's the case or not, natural reason certainly doesn't establish specifically *which* intellectual habit and *which* appetitive habit are necessary in addition to these. But on the basis of the persuasive arguments put forward in that question,[6] it is reasonable to hold that the cognitive habit and the appetitive habit that the Catholic Church teaches are necessary are in fact the ones that are necessary. And by faith we hold that three theological virtues, which immediately perfect the soul with respect to the Uncreated Object, are necessary.[7]

28 On the basis of these observations I argue as follows: the only habits we should posit in wayfarers are those by which they can be perfected, with regard to any object, as much as it is possible for them to be perfected in this life. The seven general virtues fit this description, leaving aside any consideration of the acquired speculative sciences. Therefore, besides the acquired speculative sciences, no habit should be posited in wayfarers that is unqualifiedly distinct from the seven virtues.

29 Proof of the minor premise: there is no object with regard to which wayfarers can be perfected other than God and creatures. With regard to God, wayfarers are sufficiently perfected by the three theological virtues; and they are perfected in a supremely perfect way, as far it is possible for them to be perfected, if those three habits are supremely perfect according to their kind.[8] With regard to creatures:

[4] An expansive translation of the reading in Q: *Et ita habetur prima distinctio virtutis appetitivae ordinantis talem potentiam in actibus ad se et ad alterum.* The edition has Scotus speaking of virtue as ordering the habits (*ordinantis istos habitus ad se et ad alterum*). The virtues, of course, do not order the habits; the virtues *are* the habits.

[5] *Ordinatio* prol. nn. 62–65. [6] Ibid. nn. 13–18, 40–1. [7] *Lectura* III d. 23 n. 48.

[8] Reading *et hoc perfectissime, quantum perfici potest, si illi tres habitus sunt perfectissimi in suo genere* with Q. The edition has *in summo (perfectissime, quantum potest, si illi tres habitus sunt perfectissimi).*

leaving aside any consideration of speculative matters, the intellect is supremely perfectly perfected by prudence, if it is supremely perfect prudence; for supremely perfect prudence is supremely perfect knowledge concerning everything in the domain of possible action, under every condition.[9] Similarly, appetite is supremely perfectly perfected by the three moral virtues, if they are supremely perfect; for they perfect the appetite both with respect to others and things desirable for others, and with respect to oneself and things desirable for oneself, whether primarily and directly or secondarily, on account of those primary things. And my understanding of these four cardinal virtues is that none of them is numerically one habit in a given person—a universal, all-inclusive temperance or justice, one that concerns everything [within the domain of the relevant virtue]—but rather someone possesses particular species of justice for the particular matters [that fall within that domain].

Therefore, a human being who is perfected by the three theological virtues and the 30
speculative and practical virtues, and the moral virtues ordered both to self and to others, is as fully perfected as a wayfarer can be. So there does not appear to be any necessity to posit other habits besides the theological, intellectual, and moral virtues.

Through the three theological virtues a wayfarer is sufficiently perfected toward God immediately. For by faith a wayfarer is sufficiently perfected with respect to God as he is to be understood in this life, since the cognition of faith is the only sort of cognition one can have of him in this life, as was explained earlier in Book III.[10] With respect to God as worthy of love in himself, a wayfarer is sufficiently perfected by charity; and with respect to God as worthy of love for my own sake, as beneficial for me, hope perfects the wayfarer. (This is clear from the questions on hope and charity, above.[11]) Now there are no ordinate acts that a wayfarer can perform with respect to God besides understanding him, loving him in himself, and desiring him for myself as my good. Therefore, etc.

Similarly, with respect to every good other than God as object, a wayfarer is sufficiently perfected when he is perfected by intellectual habits and appetitive habits that concern those goods. Now all these intellectual habits that sufficiently perfect the intellect are intellectual virtues, for the intellectual virtues sufficiently perfect the wayfarer, as far as is possible, for engaging in both speculation and practical reasoning. And the appetitive habits are appetitive virtues, and these appetitive virtues

[9] Reading *ipsa enim est de omni agibili et quantum ad omnem condicionem agibilis perfectissima notitia* with Q for the edition's *tunc enim est de omni agibili quantum ad omnem condicionem agibilis et perfectissime notam*.

[10] That is, faith is the only cognition of God *as the wayfarer needs to understand God*, that is, as the trustworthy revealer of what is taught in Scripture and by the Church. (For the kind of faith Scotus has in mind here, see *Lectura* III d. 23.) Scotus does of course affirm the possibility of natural knowledge of God: demonstrative knowledge that there exists one and only one being who is first in efficient causality, first in final causality, and first in dignity, who is infinite in being and characterized by intellect and will.

[11] On hope, see III d. 26 nn. 89–96; on charity, see III d. 27 nn. 29–32.

sufficiently perfect the wayfarer for loving everything that is worthy of love, whether in order to oneself or in order to another.[12]

2. HOW THE INTELLECTUAL, IRASCIBLE, AND CONCUPISCIBLE HABITS ARE CONNECTED WITH THE SEVEN VIRTUES

31 It is important to note, further, that just as habit is a kind of intermediate genus in the category of quality,[13] so too it has many intermediate genera under it before one comes to the most specific species. For whether (as seems probable) *habit* is first divided into *intellectual* and *appetitive*, and *intellectual* is further divided into *acquired* and *infused*, and *appetitive* is likewise divided into *acquired* and *infused*—or, alternatively, *habit* is first divided into *acquired* and *infused* and each of those is in turn divided into *intellectual* and *appetitive*—at any rate *acquired intellectual* is further divided into *speculative* and *practical*, and *acquired appetitive* is further divided into *in order to oneself* and *in order to another*. *Acquired speculative* is divided into *real* and *of reason*, because such a habit concerns real being or being of reason. What concerns real being is divided according to the division made in *Metaphysics* VI [1026a18–19]: *physics*, *mathematics*, *divine science*. And each of those perhaps admits of many further divisions before one reaches the most specific species. *Acquired practical* is divided into *concerning what can be done* and *concerning what can be made*. *Concerning what can be done* has several divisions before one reaches the most specific species (example: a practical habit concerning this particular kind of thing that can be done). Finally, *the habit of building* and suchlike, which are also practical habits concerning what can be done, are subject to many further divisions, as will become clear in the question on the connection of the virtues [d. 36 nn. 96–7]. For no matter whether we are talking about practical knowledge or practical prudence, there is not a unitary habit that concerns everything that can be done, as I shall discuss in that question [nn. 98–9].

32 In this whole division of *intellectual habit*, only one infused virtue, faith, is counted among the virtues, and one intermediate genus, called "prudence," is an intermediate genus containing many [kinds of] acquired practical habits. And if we count rather general species [of *intellectual habit*] alongside each other, we can have three: namely, faith, speculative science, and prudence.[14] But because speculative science does not perfect human beings for acting morally, it is not counted alongside the other virtues: for it is less necessary than prudence is for human beings to live rightly in human

[12] The edition consigns the two paragraphs that precede this note to the apparatus, on the grounds that this text is "canceled by virtue of the added 'extra' text of Duns Scotus." That added 'extra' text is nn. 28–9, marked in Codex A as an addition. But these two "canceled" paragraphs are not redundant following nn. 28–9; I have accordingly translated them and included them in the main text.

[13] See Aristotle, *Praed.* c. 15, 15b17–33; Scotus, *In Praed.* qq. 30–6 n. 40.

[14] Reading *Et sic connumerando species etiam satis communes possunt haberi tres* with Q for the edition's *Quod si etiam connumerando species—etiam satis communes—possent haberi tres.*

terms, and less necessary than faith is for human beings to live rightly in the commonwealth of the Church.

33 Two acquired and two infused habits can be identified as the first species under *infused appetitive habit* and *acquired appetitive habit*. Under *infused* are hope and charity; under *acquired* is a virtue that disposes the appetite to itself and [a virtue that disposes the appetite] to another. The second of these is called by the general name "justice." The virtue that concerns oneself, by contrast, has no general name; that is perhaps the reason that it has no place in the list of cardinal virtues, and instead other virtues directly beneath it are on the list.[15]

34 Among things desirable for oneself, some—namely those that are apt to be appealing straightaway—are desirable in their own right; and others—those that are apt to be unappealing—are undesirable directly. Others are neither directly desirable nor directly undesirable, but are desirable or undesirable indirectly, for the sake of the things that are directly desirable or undesirable. The general virtue that disposes the appetite toward the primary [objects of desire and aversion] is called "temperance"; the one concerned with the secondary objects is called "courage." For the primary objects of desire [and aversion] properly belong to the concupiscible and the secondary objects to the irascible.

35 In order to make this distinction a bit clearer, it is important to note that the concupiscible concerns what is apt in its own right to be appealing or unappealing, in such a way that nothing is required but the apprehension of that object in order for an act of pleasure or displeasure (*tristandi*), or of pursuit or avoidance, to be suited to follow, to the extent that such an act depends on the object.[16]

36 The irascible does not have such things as its objects. For the act of the irascible is to be angry (*irasci*); and to be angry, according to the Philosopher in *Rhetoric* II [1378a31–3], is "to desire revenge in accordance with an apparent end, on account of an apparent slight." So the object of the irascible is revenge. Or, more correctly, if its object[17] is the revenge-worthy, or what could be called the anger-worthy, or (to use more normal vocabulary) the offensive, what is called "offensive" is not what is not straightaway unappealing to the concupiscible, but what poses an obstacle to something that is directly appealing. For example, if food is directly suitable to the gustatory appetite of a bird and is desired accordingly, something that gets in the way of such food or takes it away is offensive to the animal that desires the food. This offensive thing is the object of the irascible, and the irascible has a certain willing-against with respect to the offensive thing—not indeed the kind of willing-against that characterizes the concupiscible, which is aversion in the proper sense, but a

[15] A free translation of the edition's *sed descenditur sub illa, quia descenditur ad alias proximas sub illa*.
[16] The edition, following A against all the other MSS, adds 'necessarily' after 'follow.'
[17] All the MSS have 'act,' but 'object' is what makes sense.

willing-against that consists in rejecting or fighting off. For the irascible fights off the offensive thing willingly: it does not merely desire that what is imposing the obstacle be removed, it desires to remove it and, further, to punish it. (On this, see III d. 26 [nn. 38–9], above.)

37 Yet because its act is to will to take vengeance, or to will-against, and the object willed-against is still present,[18] being angry always involves sorrow—not merely concupiscible sorrow but also irascible sorrow. And this is so only when the irascible has an imperfect act: that is, when it desires vengeance but does not achieve it.[19] By contrast, when it actually achieves revenge, its act is perfect and is assimilated to fruition on the part of the concupiscible; at that point the irascible's anger is without sorrow. Indeed, it is accompanied by great pleasure of its own: as Aristotle says in *Rhetoric* [II.2, 1378b5–7], "A man's anger is like honey."

38 Therefore, just as the concupiscible needs to be ordered toward things that are apt to be desired directly, so that it will not desire them inordinately but in accordance with the moderation of right reason, so too the irascible needs to be moderated by a habit, so that it will not immoderately will to fight off what needs to be fought off and not to fight off what should not be fought off.[20] The habit by which it is disposed to fight off what needs to be fought off has no name, although it could be called "pugnacity" (*bellicositas*) or something like that, whereas the habit by which it is disposed not to fight off what should not be fought off, but rather to bear up under it, is called "patience." And because it is more difficult not to fight off something offensive than to fight it off, patience is nobler than courage, as the poet says: "Patience is a noble kind of victory, for one who endures patiently is a victor."[21] So the irascible does not have as its object the "difficult or prize-worthy" (which the concupiscible has as its object). Rather, it has as its object what is offensive. Thus, its adequate act is willing vengeance or willing-against what is offensive: an imperfect willing-against (which is assimilated to desire on the part of the concupiscible) as long as one is angry and the offensive thing has not yet been fought off or endured, a perfect willing-against (which is assimilated to enjoyment

[18] Or, to read with Q, "And yet because its act is to will to take vengeance, and the object willed-against, not yet punished, is still present."

[19] Reading *et hoc nonnisi tunc quando irascibilis habet actum imperfectum, quando scilicet desiderat vindicare sed non vindicat* (Q). The edition has *et hoc nonnisi in illo tempore vel instanti quando irascibile habet actum perfectum: non quasi nolle desideratum, quale habet dum non vindicat*. To the extent that one can even make sense of the edition's reading, it seems clearly at odds with Scotus's argument. The idea has to be that the irascible's act is *imperfect* (not perfect, as the edition has it) until vengeance is achieved; and it is while vengeance is desired but not yet realized that anger is accompanied by sorrow.

[20] Reading *ne immoderate velit propellere propellenda et non propellere non-propellenda* with NQ. The edition has *ne immoderate velit offendens propellere propellenda et immoderate ulcisci, sed moderate velit propellere propellenda et non propellere non-propellenda*.

[21] Anonymous, 13th c. G. Dinkova-Bruum, in *Sacris erudiri* 43 (2004): 327.

in the concupiscible) when it fights off in a moderate way the thing willed-against or bears it in a moderate way.[22]

You might say that what has the role of willing one opposite has the role of willing- 45
against the other opposite; the concupiscible has the role of willing one opposite; therefore, etc. I reply that when the irascible has an act of its own, there are always two things that are willed-against, one by the concupiscible and the other by the irascible. This is evident in the example given above [n. 36]: what is willed-against by the concupiscible is the lack of food. This willing-against produces sadness in the concupiscible; by that sadness it flees (as it were) from what is willed-against and does not repel it. For there is something else willed-against, namely, what takes away the food. And that is willed-against by the irascible not in an act of flight but in an act of repelling or fighting off; and so long as it does not actually fight it off, there is sadness proper to the irascible.

Now it is clear that the two sorrows of the irascible and the concupiscible are not the 46
same sorrow. For if *fighting off what is offensive* is presented as impossible, there is greater sadness in the concupiscible, and yet there will not be anger, properly speaking. For according to the Philosopher in *Rhetoric* II [1380a31–3], no one who is extremely afraid grows angry; and yet the more afraid someone is, the greater is the sorrow of his concupiscible part in fleeing from what he fears. And although the irascible is sometimes sorrowful over being unable to take revenge, namely when it lacks the power to do so, the concupiscible is sorrowful over something else, namely lacking the desired object.

Also, concupiscible sorrow and irascible sorrow are accompanied by different 47
immutations of the organ in the sensory part (look this up[23]): concupiscible sorrow is accompanied by constriction (just as the opposed pleasure is accompanied by dilation), whereas irascible sorrow is accompanied by heating, which is the boiling of blood around the heart. And from this it follows that the concupiscible and the irascible in the sensory part have diverse organs, since one and the same thing cannot be moved with contrary motions at the same time.

Now in the rational part the concupiscible and irascible can have a distinction in their 48
objects similar to the distinction in the sensory part:

For something is non-derivatively pleasant to the will, namely the good: either what is suitable to the will in the will's own right or, also, what is suitable to the will according to the sensory appetite—for the will is apt to share the pleasure of the sensory appetite with which it is conjoined in the same supposit.

[22] The edition continues with a text (nn. 39–44) that appears here in P, after the words "has a certain willing-against with respect to the offensive thing" (n. 36) in ASZB, and not at all in NYQ. The text is disorderly and sometimes unintelligible, so I have omitted it.

[23] See Aristotle, *De motu animalium* 7, 701b1–32; Scotus, *Lectura* III d. 33 n. 85.

The will can also have an object that offends it, both in accordance with right reason and in opposition to right reason, and the will can have to do with such an object qua actually offensive by willing-against it, qua offensive, in an act that fights it off and takes charge of it.

But there is not as great a distinction between the concupiscible and the irascible in the will as there is in the sensory appetite, because the will has no organ. And it's not correct to say that one of them is more a potency (*vis*) and the other a power (*potentia*), or vice versa. Rather, [we distinguish the concupiscible and the irascible in the will] in the same way that we distinguish a higher part and a lower part in reason: on the basis of diverse objects. The power is unqualifiedly one and the same.

49 I really don't know what 'potency' is supposed to mean; it's a superfluous word. For the basis for acting with respect to those distinct objects, higher and lower, is unqualifiedly the same, as I explained in Book II, distinction 24 [n. 29].

50 In the same way, it can be said that one and the same power, and one and the same potency, is the basis for activity with respect to both the non-derivative and the derivative objects of pleasure or sorrow. For a power is that through which something that has power has power and that by which something that has power is strong. In the case of spiritual things, having power and being strong are identical. And there will be no distinction in the will except on the basis of the objects to which it tends. Analogously, with reference to the intellect we could distinguish between principles and conclusions, insofar as the intellect tends to conclusions on the basis of principles; but no one would say that there is a distinction of powers or of potencies in the intellect corresponding to this distinction between principles and conclusions.

51 Taking these claims about the irascible and concupiscible as given, I return to the virtues. I say that the proper habit of the concupiscible is called "temperance" and the proper habit of the irascible that perfects it in general is called "courage"—and that is so whether we are speaking of acquired habits or infused habits. But both infused habits perfect the concupiscible, because God, who is the object of those habits, cannot be willed-against. Now even though both of these species—that is, both courage and temperance—can be subdivided, they are left undivided in the enumeration of the cardinal virtues.

3. THESE SEVEN VIRTUES UNQUALIFIEDLY PERFECT A WAYFARER

52 Accordingly, therefore, in the enumeration of all the virtues there are three theological and four cardinal virtues. We draw the list of the theological virtues from the Apostle in 1 Corinthians 13:12[24] and the list of the moral virtues from Wisdom 8:7: for wisdom "teaches sobriety and justice and prudence and strength, than which there is nothing more useful in life."

[24] "Now faith, hope, and charity abide, these three."

These seven virtues unqualifiedly perfect a wayfarer; thus, a wayfarer is perfect 53
according to the degree of these virtues in their species. For as these virtues are more or less intense,[25] a wayfarer is more or less perfect; and if they are as intense as they can possibly be in this life, a human being is unqualifiedly perfect to the extent that one can be in this life. (For the present I am paying no attention to the perfection that someone has through the acquired speculative virtues, which I set aside earlier [n. 28].) Indeed, through these seven virtues—understanding this to be true of them and of their necessary species, which I will talk about later [n. 81]—if they are as perfect as possible in themselves, a human being is as perfect as possible with regard to God in himself and with regard to all things other than God, both as intelligible by practical reason and as desirable for himself or for another, and this as ordered to himself, as the appetitive virtues can order him in their own right, and as ordered to the ultimate end, to which the acquired virtues can order him when they are conjoined with charity.

B. How the moral virtues, beatitudes, gifts, and fruits can be classified under the aforementioned seven virtues

1. THE THREE MORAL VIRTUES

Further, in order to see whether the virtues, beatitudes, gifts, and fruits are the same 54
habits, it is important to note that the three acquired moral virtues—justice, courage, and temperance—are intermediate genera.

For there are evidently two primarily desirable objects: honor and pleasure (taken 55
strictly). Indeed, everything that is primarily good—that is, suitable—is either honorable or pleasant. For something useful cannot be what primarily moves one to desire, since something useful is desired only as ordered to something else. And the authoritative passage in 1 John 2:16, "All that is in the world," etc., shows the same thing: for lust of the eyes, which concerns riches, cannot be first, speaking of riches as a useful and not as a pleasant good. (If we speak of riches as beautiful, that is, as a pleasant good, then they can be desired primarily, just like any other beautiful visible thing.) And so, as I have said, the primary objects desirable by a rational nature are honor and pleasure (taken strictly). Therefore, there are two primary species of temperance that moderate [the will] with regard to what is desirable to it: the one that moderates it with regard to honors is called "humility," and the one that moderates it with regard to pleasures retains the name of the genus—and there are as many species of this temperance that moderates these pleasures as there can be distinct pleasures to which the will is inclined (for example, there is one pleasure with regard to objects of taste and another with regard to objects of touch). And this is true not only of pleasures of the senses (the will shares in those pleasures because it is conjoined with the senses) but also of the pleasures that belong to the will as will,

[25] The edition, following A alone, adds "not in themselves but in their capacity."

in the way that an angel's will can desire a pleasant good even though it is not associated with a sensory appetite.

56 The proof that these temperances are distinct is that there can be supreme pleasure in one and no pleasure in another. For someone can be unqualifiedly temperate with respect to sex, willing-against having sex with anyone other than his wife[26] or unqualifiedly willing-against having sex, and intemperate with respect to objects of taste, willing to eat things that ought not to be eaten or willing-against eating things that ought to be eaten. Also, someone can be temperate with respect to objects of sense and intemperate with respect to objects of speculation. For example, suppose his will takes supreme pleasure in the fact that his intellect is supremely occupied with speculating about intelligible things, speculative knowledge of which is, in and of itself, not as useful as other speculative knowledge is; this pleasure is immoderate in and of itself and ought to be moderated, because it is disordered in and of itself.

57 The species of courage do not require as much explication for our present purposes, since the only species that will be dealt with explicitly is courage in itself or patience, which, as I said earlier [n. 38], is the noblest kind of courage because it does not fight off things that are worthy of being fought off; thus undergoing (*pati*) is a kind of permitting. And whatever we would say about permission—that it is a positive act of willing or willing-against, or perhaps a willing to impose no hindrance—is also what we would say about the sort of act that undergoing something frightening is in the will.

58 Justice, however, needs to be subdivided for the sake of what follows.

In this connection it is important to note that the first way in which one can be rightly disposed in order to another is with respect to sharing oneself with that other to the greatest extent one can or with respect to sharing something else with that other.[27]

59 The virtue inclining to the first is friendship, by which one gives oneself to one's neighbor to the extent that one can give oneself and to the extent that one's neighbor can possess one. And this is the most perfect moral virtue, because the whole of justice is more perfect than those [virtues] that concern oneself, and friendship is the most perfect form of justice.[28]

60 If, by contrast, one shares something else with one's neighbor, one will share either extrinsic goods or intrinsic goods that pertain to the sustaining of human life. We speak of "commutative justice" with respect to the extrinsic goods that human beings need to share, and this is frequently called "justice" inasmuch as it involves sharing

[26] For this reading of *nolens uti nisi sua*, see Williams, "Franciscans," 170 n. 5.

[27] Reading *aliquid aliud* (Q) for the edition's *aliquid alterum vel sua* (A).

[28] Reading *perfectissima iustitia* (PBNQ), as the argument requires, for the edition's *perfectissime iustitia*.

something that makes [the exchanging parties] equal.[29] But if one shares with one's neighbor something necessary for common life, this will be either authority, which belongs to the ruler—this species of justice has no name, but it could be called "rulership" or "just dominion"—or just subordination, which is called "obedience."

2. THE BEATITUDES

These things having been understood, I say that the beatitudes, which the Savior puts 61
forward in Matthew 5:3–10, are the same habits as the virtues, although sometimes more specific species are enumerated among the beatitudes than are found in the list of seven virtues given above [n. 28].

In fact the Savior lists two species of temperance among the beatitudes. The first is 62
humility, which moderates one with respect to the first object of delight, which is honor; he speaks of this when he says, "Blessed are the poor in spirit." Augustine comments, "The 'poor in spirit' are rightly understood as those who are upright and fear God, that is, whose spirit is not puffed up."[30] He speaks of the other species of temperance, which moderates pleasures in general, when he says, "Blessed are the pure in heart"; for purity of heart is the will's freedom (*immunitas*) from all disordered delight, both in its own right and in terms of the sensory appetites to which it is conjoined.

He speaks of courage in its most perfect species: "Blessed are those who suffer 63
persecution for righteousness' sake."

He speaks of three species of justice: 64

First, he speaks of the species that consists in sharing oneself through friendship when he says "Blessed are the meek." For although friendship is more than benevolence (as the Philosopher says in *Ethics* VIII [1155b33–4], [friendship is benevolence that is] reciprocated and mutually recognized) and benevolence is more than meekness, because the meek are those who do not give offense or persist in what is bad, still, by means of this, which is as it were the least significant aspect of friendship, he speaks of the species of justice by which someone shares himself with his neighbor.

He speaks of a second species—the one that is subdivided into just dominion and 65
obedience—when he says, "Blessed are the peacemakers," since peace is indeed preserved by a ruler's ruling rightly and a subject's obeying rightly.

He speaks of a third species of justice, which has to do with external goods, when he 66
says, "Blessed are the merciful." For there is no way anyone can be more perfectly disposed with respect to sharing external goods with one's neighbor than someone who is merciful, since a merciful person shares such goods with no expectation of return and without needing to have been previously benefited by the one with whom

[29] These two sentences read with Q.

[30] Augustine, *De sermone Domini in monte* I.1.3.

he shares them. Now a generous person may well share certain things with a friend, but there can be a kind of generosity that is inferior to mercy, and thus generosity is a more imperfect species of justice than mercy is. So the Lord speaks of this justice, which concerns temporal things, in terms of its most specific species, in keeping with Luke 8,[31] "When you give a feast."

67 And thus we have the three moral virtues spoken of either in themselves or in their species.

68 He also speaks of two theological virtues. The first is charity, which he speaks of when he says, "Blessed are those who hunger and thirst after justice." There is, to be sure, no hungering without some unhappiness, but the habit by which it is elicited is charity; for in its most proper sense charity in this life is the habit by which we hunger after justice and love God, who is truly Justice, in himself. The second is hope, which he speaks of when he says, "Blessed are those who mourn"; for mourning is the habit of desiring that.[32]

69 And in this way the eight beatitudes speak of two infused appetitive virtues and three moral virtues: courage in itself, temperance in two species, and justice in three species. The two intellectual virtues—one acquired, prudence; the other infused, faith—are not mentioned either in themselves or in their species, but they are sufficiently well-understood through the appetitive virtues, since the will is not disposed in the best possible way apart from a corresponding virtue in the intellect.

3. THE GIFTS

70 As for the gifts,[33] I say that the four cardinal virtues are enumerated among them. "The spirit of counsel" names prudence: for prudence is properly a deliberative (*consiliativus*) habit, since it is properly the habit of making practical syllogisms correctly, and to make a practical syllogism is to deliberate (*consulere*); accordingly, the habit by which someone is deliberative is the habit of prudence. "Courage" is listed by its own name among the gifts. "Fear" is a species of temperance: for fear is exactly the same habit as humility, though by a different name, as is evident from what Augustine says in commenting on Matthew 5:3, "Happy are the poor in spirit";[34] and that is why Scripture frequently commends fear, as in "The beginning of wisdom [is the fear of the Lord],"[35] which is simply to say that humility is the principle of the virtues, with something in the intellect corresponding to it. And in the present context, "happy" should be understood to mean either happy in hope[36] or happy in terms of merit, as it often means elsewhere in Scripture: for example,

[31] Actually Luke 14:13–14.
[32] The edition suggests filling out this rather elliptical expression thus: "mourning is the habit of desiring to mourn for the sake of the consolation for which one hopes."
[33] See Isaiah 11:2–3. [34] Augustine, *De sermone Domini in monte* I.4.11.
[35] Psalm 110:10; Proverbs 1:7, 9:10. [36] Reading *spe* (SZ) for the edition's *specie* (AB).

"Happy is the one who considers the poor and needy" [Psalm 40:2], "Happy is the one who undergoes testing" [James 1:12], and other similar verses. These verses do not mean that someone is happy in the sense that he possesses happiness, but rather that through that act he merits happiness.[37] Now piety is listed among the gifts: this is what the Savior calls "mercy," and thus it is a species of justice [n. 66]

So four cardinal virtues are listed among the gifts.[38] Prudence is listed as "counsel" 71
and courage by its own name. The two others appear, not under the notion of the intermediate species that appear in the sevenfold list, but in particular species of those seven: temperance in "fear" and justice in "piety."[39]

Two infused virtues are listed among them as well. Charity appears as "the spirit of 72
wisdom." For invariably when wisdom is commended in Scripture (as in "Happy is the man who will abide in wisdom" [Ecclesiasticus 14:22] and other such passages), "wisdom" means charity; for wisdom (*sapientia*) is the habit by which what is savory (*sapidum*) in itself is savory to the one who possesses that habit: in other words, it is the habit by which that good in itself is pleasing to me and I will it for myself.[40] Infused faith is expressed by the two gifts of "understanding" and "knowledge": those two do not indicate two habits (as "wisdom" indicates charity and "fear" humility) but rather one and the same habit as perfect and imperfect. And both can be given from above, the first indeed without the second, though not vice versa. We can take "understanding" as meaning imperfect faith, which is cognition (*notitia*) of the first articles and "knowledge" as explicit cognition of the articles, much as in what can be known naturally we speak of "understanding" of a principle and "knowledge" of an explicit conclusion. Faith is not named among the gifts, but it can be understood as included in charity: for the wisdom by which God is savory to me in himself is also the wisdom by which he is savory as a good for me; for one who savors something both approves the savor of the thing in itself and desires it for himself.

4. THE FRUITS

As for the fruits,[41] I say that some of them are virtues of the same essential nature as 73
those that appear in the sevenfold list and some are species of the virtues that appear

[37] PNYQ omit "with something in the intellect corresponding to it . . . he merits happiness."

[38] The edition adds *et duae infusae, quae nominantur propriis nominibus*. But besides the fact that these words manifestly interrupt the flow of the exposition, the two infused virtues are not in fact listed by their own names, as will shortly become clear. I therefore follow NYQ in omitting them.

[39] *pietate* (instead of the edition's *caritate*) is clearly the word required here, since Scotus has just said that *pietas* is a species of justice. (According to the apparatus, only P has *pietate*, though this is in fact incorrect; Q also has *pietate*, though it lacks *iustitia*.)

[40] Or, following the edition (which reads with A alone), "and I also will it in itself for myself."

[41] The list of the fruit of the Spirit in Galatians 5:22–3 in the Vulgate is twelvefold—*caritas*, *gaudium*, *pax*, *patientia*, *benignitas*, *bonitas*, *longanimitas*, *mansuetudo*, *fides*, *modestia*, *continentia*, *castitas*—rather than ninefold as we find in the best Greek text and in modern English translations.

in that same list; some are neither virtues nor species of virtues, but pleasures consequent upon the acts [of those virtues].

74 For example, "charity" is spoken of there by its own name, as is "faith," whereas hope appears as "longsuffering" (*longanimitas*), which is why we read [Hebrews 6:15] that the patriarchs were longsuffering in hope, as though looking boldly far ahead (*in longum animose*).

75 The moral virtues appear there as well. Courage appears as "patience."

76 Justice appears, in its species called mercy, as "goodness," as someone is commonly called good because he shares himself with his neighbor. Another species of justice, namely friendship, is spoken of there as "kindness" (*benignitas*), which is, as it were, benevolence and good ardor (*bona igneitas*). The second species of justice, which has to do with rulership or subordination, appears as "gentleness"—or perhaps that refers specifically to obedience, since a gentle person is one who carries out everything without complaining.

77 Temperance is spoken of in two of its species, "continence" and "chastity," if you like to distinguish between "chastity" as having to do with sexual pleasure and "continence" as having to do with other pleasures. Alternatively, one could affirm a single species having to do with all pleasures that is spoken of as both "continence" and "chastity," as the Philosopher in *Ethics* VII [1150a9–15] affirms that chastity is a certain level within every virtue.[42]

78 Prudence is spoken of as "modesty": for a modest person is one who upholds the requisite and right way of acting, and it is the task of prudence to find, settle beforehand, and determine the requisite way of acting.

79 Thus we have the three theological virtues in themselves. We have courage as "patience," justice in its three species, temperance in one species or in two species, and prudence in one species, and so we have all the [cardinal] virtues, both intellectual and moral.

80 The other things that appear on this list are pleasures that accompany or follow from an act: "joy," properly speaking, is a pleasure in the will, and "peace" is the security of having an object in that same power without a struggle.

C. Conclusion

81 In this way, then, it is evident how, if we uphold the view that the seven virtues, either in themselves or in their species, sufficiently perfect a human being in this life, no habits will be necessary other than these seven and their species; and no other such habits are listed among the beatitudes or the fruits or the gifts. And although the

[42] Cf. Richard Middleton, *Sent.* III d. 33 princ. 5 q. 4 in corp.

number of beatitudes is different from the number of gifts, that is because different species of the same seven virtues appear in the two lists and appear in different ways, not because they are different habits that are not species of these seven virtues.

And if one places such great weight on the fact that Scripture offers an eightfold list in 82
one place and a sevenfold list in another that one absolutely has to distinguish them, why then should one not also affirm that the habits the Apostle mentions in 1 Corinthians 12:7–10—where he offers a ninefold list—are distinct habits? Why, then, don't we distinguish those habits from the ones listed in 2 Peter 1:5–7, beginning at "Add to your faith virtue"? Scripture frequently uses different words to express the same reality; in one place it leaves certain things out, and in another it explicitly states what was left out elsewhere.

II. Reply to the preliminary argument for the negative

In reply to the argument for the negative [n. 5], therefore, it is evident that even if the 83
number is not the same, this is not because the lists include different habits, but because they include different numbers of intermediate species or of the most specific species contained under them, or because they leave out some of them. The things enumerated in the two lists are also the same, as I have explained.

31

Ordinatio III, d. 36, q. un.

"Are the moral virtues connected?"

1 Concerning distinction 36 I ask whether the moral virtues are connected.

2 Arguments for the negative:

Someone can be naturally inclined to acts of one virtue and not those of another because of his physical constitution:[1] for example, someone might be constituted in such a way that he easily grows angry, but is not naturally inclined to acts of concupiscence. Accordingly, such a person can more easily devote his energy to [refraining from] the former acts rather than the latter; indeed, he can devote his energy exclusively to [refraining from] the acts to which he is inclined and not at all to [refraining from] the acts to which he is not inclined, and thus he will have a virtue that concerns the former acts but not one that concerns the acts to which he is not inclined.[2]

3 Second, however someone might be inclined, he can have occasion to devote his energy to the acts of one virtue and not those of another virtue. For example, a religious can have occasion to restrain passions but not to confront or endure the terrors of war; thus he will develop temperance without courage.

4 Third, suppose someone's reason is in error. Then his will can choose contrary to reason's judgment and yet choose rightly. Therefore, from many such choices a moral habit can be generated in his will, and yet prudence will not be generated in his intellect, because the intellect is not dictating rightly. And thus there can be moral virtue without prudence.

5 Fourth, conversely, suppose someone's intellect dictates rightly. Then his will can fail to choose what reason dictates, and instead choose the opposite. And in this way, as a

[1] "because of his physical constitution" = *secundum complexionem* (PSZB). The edition follows A in reading *secundum connexionem vel complexionem*, which is mysterious. Q omits the phrase altogether; given the use of *complexionatus* ("constituted") in the next phrase, the omission is surely justified.

[2] Q reads, "Accordingly, such a person can more easily devote his energy to [combating] the acts to which he is inclined than the acts to which he is not inclined, and thus he will have a virtue regarding the former but not the latter."

result of these repeated [correct] dictates, prudence will be generated in the intellect; and yet what will be generated in the will is not moral virtue, but in fact vice.

Fifth, an act of scorning all things for God's sake is difficult and accords with right reason; therefore, there can be a virtue that inclines to that act. So a poor person[3] who scorns all things for God's sake evidently has a virtue by which he is so inclined. But such a person cannot have generosity, as is obvious, since he does not have the matter of that virtue; for he has no money to give away. Similarly, many who are not poor have other virtues. 6

Sixth, marital fidelity is evidently a virtue, because it is a kind of chastity. And yet marital fidelity exists apart from virginity, which is also evidently a virtue. 7

Seventh, magnanimity is a virtue, and it is evidently incompatible with humility, since a magnanimous person regards himself as worthy of great honors, whereas a humble person regards himself as worthy of small honors, because he has little worth in his own eyes. 8

For the affirmative: 9

See *Ethics* VI and Augustine, *On the Trinity* VI.4.[4]

I. Reply to the question

This question encompasses a number of topics: (1) the connection of the moral virtues with each other, both in terms of their genera and in terms of the species of those genera; (2) the connection of each moral virtue with prudence; (3) the connection of the moral virtues with the theological virtues; and (4) the connection of the theological virtues with each other. 10

A. The connection of the moral virtues with each other

1. HENRY OF GHENT'S VIEW

a. Exposition of the view On the first topic, according to one writer,[5] the Philosopher says in *Ethics* VII [1145a15–1145b20] that one must distinguish four levels in every genus of goodness or badness. The Philosopher calls the first of these (namely, the beginning)[6] perseverance. The second level is continence, the third is temperance, and at the fourth level he speaks of "heroic virtue." At the first two levels there is no virtue, but merely an imperfect disposition that is apt to develop into perfect virtue. At the third level there is virtue as predicated in the general sense (*communiter dicta*), 11

[3] From the context it is clear that Scotus has in mind someone who has embraced poverty voluntarily.

[4] Aristotle, *Nic. Eth.* VI.13, 1145a1–2: "For as soon as the single virtue of prudence is present, all [virtues] will be present." Augustine, *De Trin.* VI.4.6: "Although the virtues that exist in the human soul are in one way understood individually, in fact they cannot be separated from each other at all. Thus, people who are equal in, say, courage, are also equal in prudence, justice, and temperance."

[5] Henry of Ghent, *Quodl.* V q. 16 in corp.

[6] Q omits the parenthetical phrase.

whereas at the fourth level there is virtue as predicated according to excellence and in a superexcellent degree.[7]

12 Accordingly, one view[8] concedes that there is no connection at the first two levels, since one can devote effort to the acts of one virtue and not another and thus acquire both perseverance and continence in the domain of one virtue but not in the domain of another virtue.[9]

13 This view draws a distinction at the third level: at this level virtue can be inchoate, middling, or perfect.[10]

14 There need be no connection when it comes to inchoate or middling virtues, for the same reason as before [n. 12]: someone can devote his effort to acts of one virtue at these levels but not to those of another virtue.

15 But at the third level of this third level, and much more at the fourth level, there is a connection.

16 Several proofs of this claim are offered:

First, "A virtue that can stray from its proper end and fail is not a perfect and genuine virtue. As Augustine says in his sermon on the works of mercy, 'Charity that can be abandoned was never genuine to begin with.'"[11] Now a moral virtue that existed by itself, apart from other virtues, could stray from its proper end; therefore, it would not be a genuine virtue. Proof of the minor premise: a single virtue does not make the will resolute with respect to desirable things that the virtue is not intrinsically concerned with; therefore, if the will has only that virtue, it can go astray concerning other desirable things that are presented to it. But as a result of its going astray concerning other things it can go astray concerning the object of that one virtue. Therefore, etc.

[7] NYQ omit "as predicated according to excellence and."

[8] Henry of Ghent *Quodl.* V q. 17 in corp.

[9] The edition reads, "Accordingly, one view concedes that there is no virtue at the first two levels, because in the habits of the virtues one can devote effort to the acts of one virtue and not another and thus acquire both perseverance and temperance, and one [virtue?] and not another." This cannot be correct: first, the point has to be that there is no *connection* at the first two levels (that's what the argument from uneven moral effort establishes); second, temperance *is* a virtue, and what is possessed at the second level is not a virtue but *continence*; and third, if indeed we are to supply 'virtue' in the last clause, the view would be saying that at the first two levels someone can acquire one virtue but not another, but we've already been told that there *is* no virtue at the first two levels. (And if we're not to supply 'virtue' in the last clause, I don't know what feminine noun we're meant to supply that would make any sense.) My reading follows Q (with some support from ZB), adding only "and continence" from Z. (If one were transcribing Q one would add "and continence" in angle brackets anyway, because the context requires it and there is a 'both' (*tam*) without its correlative 'and' (*quam*).)

[10] In fact, Henry distinguishes only inchoate and perfect virtue at the third level, as Scotus himself reports in *Lectura* III d. 36 n. 13.

[11] Henry of Ghent, *Quodl.* V q. 17 in corp. The quotation is actually from Paulinus of Aquileia, *De salutaribus documentis* c. 7.

An example will make this clear.[12] Someone who has temperance and not courage is not resolute when it comes to facing frightening situations. So if frightening situations are put before him—say, he must either commit fornication or suffer death—then he can go astray concerning what is frightening, and, as a result of this, also concerning matters within the domain of temperance. For such a person will choose not to suffer death rather than not to commit fornication, since he is not resolute concerning such frightening suffering. 17

A second argument is offered for this same conclusion. It is characteristic of virtue that it acts with pleasure (as we read in *Ethics* II [1106a15–17]), but one virtue apart from another does not enable a person to act with pleasure. That is clear in the example just given: someone tempted by intemperance, if he lacks courage, does not have pleasure in fleeing things that belong to intemperance; consequently, someone is not perfectly temperate unless he is also courageous. One could offer a parallel example about a greedy person: if someone is greedy, he will choose to preserve money rather than to preserve temperance. 18

And a third argument: perfect virtue leads one to the end of virtue, since leading to the end is a perfection in moral matters. But no single virtue, apart from any other virtue, leads one to the [ultimate] end; nor does it confer political happiness.[13] Therefore, etc. 19

This position is confirmed by Gregory, *Moralia* XXII.1: "Someone who is thought to be strong in one virtue is genuinely strong when he is not subject to vices in some other sphere." And in XXI.3: "One virtue apart from another is either not a perfect virtue or not a virtue at all." And in his commentary on the beginning of *Ethics* VI, the Commentator asks, "In the absence of temperance, how will there be justice?"[14]—as though saying outright that there is no way justice can exist. And in commenting on the claim in *Ethics* VI [1140b11–12] that "We call 'temperance' by that name as what preserves prudence,'" the Commentator remarks, "The virtues are sisters to each other," and so forth.[15] Look it up there. 20

The same thing is proved through the Gloss on Revelation 21:16, "The city lies foursquare." Look it up there.[16] 21

[12] The reading in the edition does not give the sort of example required here. I have followed Q, which does.

[13] Literally, "nor does it make someone a political man." The contrast between complete happiness and this-worldly, "political," happiness is present in the text of Henry of Ghent on which Scotus is drawing. (For the last sentence I read *sed una virtus sine alia non perducit ad finem nec virum politicum facit* [Q] against the edition's *sed nulla virtus sine alia perducit ad finem, nec sese de se nec virum politicum.*)

[14] Eustratius, *In Eth. ad Nic.* VI c. 2.

[15] Ibid., c. 6: "We will say first that the virtues are sisters to each other and greatly resemble each other.... And it is not at all surprising if the essence (*ratio*) of one of them brings forth the others."

[16] "The four sides are the four principal virtues, no one of which should exceed any other in a human being."

22 *b. Refutation of Henry's view* There are many arguments against this view.

First, according to you, the first two levels (perseverance and continence) need not be connected, and likewise the first two levels of the third level (imperfect or middling virtue). I argue along the same lines regarding the third level: someone who has virtue at the first two levels of the third level can devote effort to attaining the third level of one virtue and not of another. For someone who has a habit for acting with respect to those objects is no less disposed [toward acquiring a further degree of virtue] than is someone else who has no habit [with respect to those objects] at all; so if someone in the beginning stages was able to devote effort to the object of one virtue and not another, someone who already has the habit of one virtue as far as the first two levels of the third level is that much more able to devote his effort to the object of one virtue and not another, and thus he can acquire one perfect virtue without acquiring another. Confirmation: it might be that no opportunity arises for him to act concerning the matter of another virtue, and so he is not inclined[17] to further acts in that domain as he is to the acts in the other domain in which he is already habituated.

23 Now one might reply[18] that even if the matter of another virtue does not arise in the external world, it nonetheless arises in the imagination, and one must choose rightly with respect to those things, or else the acquired virtue (of whatever level) will not be preserved. On the contrary: the intellect can just not consider those things but instead consider only those things to which the habit of virtue inclines one—for according to the received view, the intellect cannot distinctly understand two things at the same time.[19] Or if those other things that belong to another virtue do occur to one, the will cannot choose either well or badly concerning them, but it can command one not to consider them and to consider instead the things that belong to the virtue that one has. And thus my point holds.

24 Another (and better) approach[20] [to defending Henry's view] is to say that it is possible for any habit, however perfect of its kind, to be acquired through frequently elicited acts concerning the object of one virtue, without any other virtue's being acquired; but that habit, however intense it is, will not be a virtue because it does not meet the definition of virtue unless it is conformed to other acquired virtues in the same person. For the harmony of one habit with another is necessary for any habit to meet the definition of virtue.

25 This view would be quite easy to refute if moral virtue were a per se being or per se one in the category of quality.

[17] Reading *nec inclinatur* for the edition's *ut inclinetur* (AB).
[18] Henry of Ghent, *Quodl.* V q. 25 in corp.
[19] Cf. Scotus, *Ordinatio* IV d. 1 [q. 1 nn. 22–3].
[20] Thomas Aquinas, *ST* I-II q. 65 a. 1. in corp and ad 1.

But since I don't think that's true, as I will discuss below [nn. 27–30], I will instead argue as follows: a virtue, along with all the things that belong to the per se character of virtue, is generated through acts that conform to right reason. Thus, the only thing that is required for a virtuous habit or virtuous act, beyond the nature of the habit or act itself, is conformity to right reason. This is proved from the statement in *Ethics* II [1106b36–1107a2] that "virtue is a habit concerned with choice as determined by reason." But there need be no harmony with other virtues coexisting in the same agent in order for a habit or act to conform to the right reason in accordance with which the agent chooses. The assumption is clearly true, for what one needs in order to choose rightly concerning the matter of temperance is a prior correct dictate of reason concerning that possible choice, and there can be a prior correct dictate concerning the matter of one virtue without any correct dictate whatsoever concerning the matter of another virtue. Therefore, etc. 26

Second, it follows from what you say [n. 22] that every virtue will be the ground of some other habit's being a virtue; the consequent is false; therefore, so is the antecedent. Proof of the inference: if this habit is the virtue of temperance only because it coexists with some other virtue—say, courage—then it follows that the virtue of courage, insofar as it coexists with this habit, is the ground of that habit's being the virtue of temperance; and by parity of reasoning, temperance as coexisting with the other habit is, conversely, the ground for that other habit's being the virtue of courage. Accordingly, each virtue will be the ground for every other virtue's being a virtue. The consequent is false, because it follows that something is a virtue before it's a virtue, and thus no virtue will be first. 27

Proof of these points: 28

Let's take that habit in the category of quality that ought to be temperance. If it can't be a virtue unless the virtue of courage coexists with it, then courage will be a virtue before temperance is a virtue. But, *ex hypothesi*, courage can't be a virtue unless it coexists with the virtue of temperance.[21] So courage will be a virtue before it is a virtue.

That there will be no first virtue is proved by the same means: for temperance won't be the first virtue, since, *ex hypothesi*, it can't exist unless all the other virtues *as virtues* exist along with it; and no other virtue will be first either, because no other virtue can be a virtue unless temperance *as a virtue* coexists with it. 29

One might offer a probable argument[22] in response to this point by saying that something can be a virtue when it is accompanied by all other virtues, and yet qua this sort of habit it precedes another habit, but not qua virtue; rather, all habits, whether generated prior or posterior, have the character of virtue, each through its 30

[21] "temperance" NYSZB; the edition has "courage."
[22] Henry of Ghent, *Quodl.* V q. 17 ad arg.

own nature and through the mutual concomitance of them all. Against this: then it follows that a single act will generate all the moral virtues as virtues, which seems untenable.

Proof of the inference: suppose that the habit that is temperance is generated, and subsequently the habit that is courage is generated, and at a similar level; yet neither of these habits will be a virtue until each of them is at the level at which it is a virtue. So either a given habit is before another or not. If so, I have established my claim that one habit can exist without another, and so the virtues are not connected. If not, then the habits will become virtues through a single act, which seems untenable, since surely that act will be the act of some particular virtue. And just as it would be an act of some particular virtue if the virtue had already been generated, so too would it be such as to generate some particular virtue and not all of them.[23]

31 Moreover, third, it seems more reasonable for two species of the same genus of moral virtue to be connected than two genera, since someone who has a virtue is more inclined to behave in a well-ordered way concerning matter more closely connected with that virtue than concerning more remote matter. Now the matters of species of the same genus are more closely connected than are the matters of diverse genera. But species of the same genus of virtue are not connected: for example, virginity and marital fidelity. Therefore, etc.[24]

2. SCOTUS'S OWN VIEW

32 Regarding this first topic, I concede that the moral virtues are not necessarily connected either according to the genera that are typically identified (justice, courage, and temperance) or according to the more general division that I identified earlier[25] (virtue disposing the affection with respect to oneself and virtue disposing the affection with respect to another).

33 One can offer a persuasive argument for this conclusion along the following lines. Virtue is a human perfection. But it is not total perfection—otherwise a single moral virtue would suffice. Now when there are several partial perfections for something, it can be unqualifiedly perfect in terms of one perfection and unqualifiedly imperfect in terms of another. This is evident in the case of human beings, for whom there are several perfections of the bodily organs. Someone can have one such perfection in the highest degree but entirely lack another: for example, someone can be in the best possible condition in terms of vision or touch but lack hearing altogether. So someone can have a perfection in the highest degree with respect to the matter

[23] "not" QZ.

[24] The edition follows A against all the other MSS in reading *ergo non omnium* and adds an explanatory footnote, *supple: specierum virtutes sunt connexae*. This would give the reading "Therefore, it is not the case that virtues of all species are connected."

[25] Cf. *Ordinatio* III d. 34 n. 33.

of temperance but have nothing of the perfection that would be required with respect to the matter of some other perfection. Consequently, someone can be unqualifiedly temperate, even with respect to every act[26] of temperance, and yet not be unqualifiedly moral, because he does not have all the moral virtues (just as someone is not unqualifiedly sensate if he does not have all the senses); but he is no less perfectly temperate, even though he is less perfectly moral (just as someone who does not hear is no less perfectly sighted,[27] though he is less perfectly sensing).

3. REPLIES TO THE ARGUMENTS FOR HENRY'S VIEW

On this basis the reply to some of what was brought up in favor of the first view— 34
I mean the point that virtue can go astray [n. 16]—is straightforward. This is false concerning virtue: it is not virtue that goes astray; rather, the person who possesses virtue goes astray with respect to the matter of some other virtue because he lacks that other virtue. Nor does this mean that the virtue he does have is imperfect, because it is not that virtue's job to direct a human being in all matters, but only concerning its proper objects (just as someone who cannot see does not go astray in his hearing any more than he would if he could see, though he does go astray in sensing).

One might argue[28] against this that such a disposition can be easily lost and therefore 35
is not a virtue. I deny the antecedent. Indeed, although such an act is done against one's inclination, the good disposition is destroyed only by many sins or vices, or a few intense ones.

And on the same basis the reply to the point about acting with pleasure [n. 18] is 36
straightforward. For he does act with pleasure as far as that matter, taken just by itself, is concerned. For example, it is pleasurable for him to refrain from an act of intemperance; but it is *not* pleasurable for him to expose himself to terrors, since he is not properly ordered to such things. Consequently, he commits the act of intemperance with sadness, because it is contrary to his habit; but because he would be even sadder if he had to face terrors, he avoids what is sadder and involuntarily (in a certain way) chooses what is less sad so as to avoid what is sadder. I therefore concede that such a person is imperfect and experiences sadness when he acts; but he is not imperfect, and does not experience sadness, with respect to the matter of the virtue he does possess, except only accidentally, because that matter is accompanied by other matter with respect to which he is not virtuously disposed so as to act virtuously or with pleasure in this case.

[26] "act": "habit" ZBNYQ.

[27] Reading *sicut non-audiens non est minus perfecte videns* with Q, which both continues the earlier example and provides a proper parallel for the moral case, for the edition's *sicut non est minus perfectus videns nec est minus perfectus audiens*, which does neither.

[28] Thomas Aquinas, *ST* I-II q. 49 a. 2 ad 3.

37 On the same basis the reply to the point about the end of the moral virtues [n. 19] is straightforward: a single virtue does not lead one *perfectly* to the end of the virtues, just as a single sensory power does not lead a human being perfectly to the perfect actuality of sensing. Rather, every virtue leads one to the end to the extent that it can, but all the virtues are required to lead one to the end perfectly, so that one acts virtuously and with pleasure. So I concede that a single virtue does not lead one sufficiently to the end, but it does lead one to the end sufficiently to the extent that it can, that is, to the extent that suffices for the perfection of that particular virtue.

38 In reply to the first argument, which is drawn from Saint Augustine [n. 16], I say that the Philosopher does not say in the *Categories*[29] that a habit cannot be lost, but that it is difficult to lose. So even though virtue can be lost and thus someone who possesses it can go astray (for[30] the virtue itself does not go astray, but rather the person who possesses it draws back from the peak of virtue), it nonetheless does not follow that it wasn't a virtue, even a perfect virtue, in keeping with the nature of a habit, just because one was able to lose it (with difficulty, to be sure). So what he says about charity in that passage should be interpreted to mean that someone was genuinely in a state of charity but then sinned mortally thereafter—but that wasn't the charity that genuinely joins someone to the end, that is, to happiness.

39 As for the authorities brought forward there:

One can say that Gregory [n. 20] is speaking there of the virtues as principles of merit. Understood in that way, it's true that one moral virtue apart from another is not a virtue, because one does not acquire merit through one virtue if it is not accompanied by another. For someone who has moral temperance does not acquire merit if his temperance is not accompanied by humility, or, at any rate, if he possesses the opposite vice.

40 One can reply on the same basis to the gloss on Revelation [n. 21].

41 On that same basis one can also reply to the Commentator's remark on *Ethics* VI that the virtues are sisters [n. 20]. Yes, sisters may help each other in their life together, but one sister is not another, and no sister essentially perfects another. In the same way, these virtues help each other a great deal; each helps preserve another. And this is how we can interpret the claim some people[31] make that one virtue is not a whole apart from another: one virtue is not preserved well apart from another, for as human beings are exposed to many temptations concerning diverse matters, an imperfection with regard to one matter can be an occasion for acting imperfectly regarding another, and a perfect disposition regarding one helps someone to act

[29] "which . . . *Categories*" = *quod adducitur de Augustino, dico quod in Praedicamentis* (Q). The edition has *quod adducitur ibi de beato Augustino, "Nunc autem" ibi etc., dico quod Philosophus non dicit in Praedicamentis*, which combines readings from several different codices to make needless difficulties.

[30] Reading *enim* (Q) for the edition's *quidem*.

[31] Bonaventure, *Sent*. III d. 36 a. un. q. 3 in corp., ad 2.

rightly concerning another; therefore, the virtues help each other like sisters. But no virtue is essentially required for the perfection of another virtue, in much the same way that one sister is born before[32] another. And, similarly, the virtues cannot be generated[33] at the same time, since there cannot be two perfect acts at the same time by which two virtues would be generated, since one perfect act of one power would impede the act of another power; [if this were in fact possible,] then [two virtues] could be generated perfectly at the same time.[34]

B. The connection of the moral virtues with prudence

The second topic—the connection of the moral virtues with prudence—offers two points of contention: first, the connection of each individual virtue with its own prudence; and second, the connection of all the virtues with a single prudence. 42

1. THE CONNECTION OF EACH INDIVIDUAL VIRTUE WITH ITS OWN PRUDENCE

a. Henry of Ghent's view **(i). Exposition of the view** As for the first, it seems[35] that this connection is necessary. This is proved through the Philosopher in *Ethics* VII.15 [VII.10, 1151a10–14], where his view is that if the will chooses badly, the intellect dictates badly. 43

In the same passage he says something else to the same effect (look it up there).[36,37] 44

He says in VI.6 and 16 that "badness makes the intellect lie and err concerning practical principles" and thus it destroys prudence.[38] 45

He also says (look this up), "It is impossible for the prudent person not to be good," and vice versa.[39] 46

He also says this at the end of chapter 17 and in chapter 18.[40] 47

Also in VII.5, around the middle of the chapter.[41] 48

Furthermore, I make two assumptions: first, that the intellect cannot understand more than one thing at a time; second, that the will cannot will anything qua evil. On this basis I argue as follows: as long as the intellect's judgment about some future evil to be avoided remains intact, either the will will avoid it or it won't. If it does, then the will can't be evil (so long as the thing itself remains evil) when the intellect's judgment is right; if the will can will that thing, then it can will evil qua evil or will something uncognized. 49

[32] Reading *prius . . . quam* (ZBYQ) for the edition's *prius sine*.
[33] *Et similiter virtutes non possunt generari* (Q) for the edition's *et semper, si non possint simul procreari*.
[34] NYQ omit "since one perfect act . . . at the same time."
[35] Henry of Ghent, *Quodl.* V q. 17 in corp. [36] Aristotle, *Nic. Eth.* VII.10, 1151a14–16.
[37] NYQ omit nn. 45–50. [38] Aristotle, *Nic. Eth.* VI.5, 1140b19–20; VI.13, 1144a33–6.
[39] Ibid., VI.13, 1144a36–1144b1. [40] Ibid., VI.13, 1144b30–2, 1145a1–6.
[41] Ibid., VII.5, 1147a25–1147b5.

50 I reply that the first assumption is false in the case of two completely disparate things that are opposite to each other, as is evident by looking at various cases: one relative can neither exist nor be understood without its correlative, nor an accident without its subject, nor (all the more so) a privation—which necessarily presupposes both a subject and a suitability to the form that it lacks—without a subject suited [to possess the positive feature]. So the intellect cannot understand a privation just by itself, as the argument assumes, but only in an ultimate subject that is suitable, just as it also cannot understand one relative without its correlative or an accident without its subject. So when the intellect understands that some bad thing is to be avoided and presents this to the will, the will can elicit the act that underlies the badness—that is even necessarily somehow accompanied by badness—and yet will-against the badness. So although the intellect can understand a subject without a privation, it cannot understand a privation without a subject, since privative opposites are immediate with respect to the subject that is suited to be characterized by them.[42]

51 Also, drawing on *De motu animalium* [7, 701a11–23]: if a major premise is put forward by the practical intellect and a minor premise is taken from sense or imagination, the conclusion will be an action, so much so that one necessarily acts in accordance with it unless one is impeded. So, according to Aristotle, there is never an act altogether contrary to a dictate of reason.

52 And this is also confirmed by Augustine's commentary on Psalm [2:5], "He will speak to them in his wrath": "Confusion or darkening of the mind chases after those who transgress the law of God."[43]

53 What Dionysius says in *On the Divine Names* 4—"No one does anything with an eye to evil"—also supports this point, as does *Ethics* III.3 [III.2, 1110b28–30]: "Every evil person is ignorant." Wisdom [2:21] agrees with this: "Their wickedness has made them blind."

54 You should look up Henry's *Quodlibet* V, q. 17, to see how this supposedly works.

55 Now suppose you object to this on the basis of the condemned article that says it is an error to hold that "with both universal and particular knowledge in a given case remaining present, the will cannot will the opposite."[44] Henry responds in *Quodlibet* X, q. 10, that the proposition "with knowledge remaining present, the will cannot will the opposite" needs to be distinguished in terms of composition and division. In the divided sense it's false, because it signifies that the will never has the power to will the opposite, which is false.[45] As for the composed sense, a further distinction has to be

[42] Cf. Scotus, *Ordinatio* III d. 3 n. 36. [43] Augustine, *Enarrat. in Psalmos* ps. 2 n. 4.
[44] *Articuli 219 a Stephano Tempier Parisiensi episcopo damnati* a. 219.
[45] NYQ sensibly omit this last (redundant) clause.

made, depending on whether the ablative absolute[46] should be interpreted using 'if,' 'because,' or 'so long as.'

If we interpret it using 'because,'[47] it's false, and the claim that it is an error is correct: 56
for it signifies that correctness in knowledge or in the intellect causes correctness in the will.

But if we interpret it using 'if' or 'so long as,'[48] so that the proposition indicates that 57
one thing follows or accompanies the other, rather than that one causes the other, then according to Henry the proposition can be true and is not an error or condemned, provided that it is understood that the intellect's error is not naturally prior to the will's (for the two errors are temporally simultaneous).

Rather, the will's error is naturally prior, so much so that the intellect, considered 58
only as it is naturally prior to an act of will, is correct; instead, with the will erring freely, the intellect is blinded. Even if this blinding is temporally simultaneous, it is naturally posterior.

He argues for this in the following way: if the first choice does not blind the intellect, 59
neither will any subsequent choice, for the first can be every bit as bad as any subsequent choice; and if it doesn't blind the intellect when it's bad, it will never blind the intellect. And thus no actual badnesses in the will would ever blind the intellect, and so someone could be as bad as possible without any error in the intellect—which a number of authorities evidently deny.

(ii). Refutation of this view I argue against this first on the basis of authorities: 60
One is Augustine's commentary on Psalm [123:3], "Perhaps they would have swallowed us up alive": "Those who know something to be evil and consent to it are thus swallowed alive, or perhaps they die."[49]

And on Psalm [68:23], "Let their table [become a snare before them]," he says, "What 61
is it for them to be alive—that is, to be consenting—but that they know they ought not consent to vices? Behold, they have recognized the snare and placed their foot into it."[50]

And on Psalm [118:20], "My soul has yearned [to desire your judgments]," he says, 62
"Understanding comes first; desire follows sluggishly or not at all."

[46] Translated here by "with . . . remaining present."
[47] Reading *quia* with all the MSS but ABSZ for the edition's *quia vel per si*, which is obviously wrong from the context (and see the next paragraph).
[48] Reading *si vel dum* with Q (SZBY have just *dum*) for the edition's *quia vel dum*, which has Scotus giving two completely incompatible evaluations of the interpretation using 'because' in back-to-back paragraphs.
[49] Augustine, *Enarrat. in Psalmos* ps. 123 n. 5. [50] Ibid., ps. 68 sermo 2 n. 7.

63 The authority of *Ethics* II [1105b2–3] favors this view.[51] There the Philosopher says that "knowledge (or reason) contributes little or nothing to virtue." By contrast, if the intellect's correctness in consideration were necessarily accompanied by correct volition, then, given that knowledge contributes a great deal to consideration, it would follow that knowledge would contribute a great deal to correct willing. Indeed, something further follows: it would not make sense to try to persuade someone not to be vicious, but rather to persuade someone to give consideration in accordance with the habit of virtue, for (according to you) if the intellect gives consideration correctly in accordance with the habit of knowledge, the will cannot fail to be correct at the same time; and thus the appropriate thing to do is not to persuade someone to will rightly but to persuade someone to consider rightly.

64 Also, there are arguments from reason:

With the intellect dictating rightly, the will can choose nothing, as it can refrain from choosing what is dictated by the intellect, since reason is not moved at the same time by two distinct objects of intellect. But if the will elicits no act, no virtue is generated in it, whereas (according to you[52]) prudence is generated from a correct dictate. Therefore, prudence will be generated apart from any moral virtue.

65 Also, I prove that a bad choice can't blind the intellect in such a way that it errs concerning possible actions: the terms are the total cause of the knowledge of a first principle in the practical domain just as they are in the speculative domain according to *Posterior Analytics* I [72b24–5], and the syllogistic form is self-evident to every intellect (as is clear from the definition of a perfect syllogism in *Prior Analytics* I [24b22–4]). Therefore, once the intellect has apprehended and composed the terms, and made a syllogistic deduction, it necessarily acquiesces in the conclusion knowledge of which depends precisely on knowledge of the terms of the principle and knowledge of the syllogistic deduction. Therefore, it is impossible for the will to cause an intellect that is considering principles through a syllogistic deduction to err regarding a conclusion, let alone to err concerning the principles themselves. And so the intellect is in no way blinded so that it errs.

66 Now you might concede that conclusion and say that the will blinds the intellect by averting the intellect from correct consideration. I argue against this:

67 Averting the intellect in this way is not blinding it, for one could do so even with prudence remaining intact. It is, after all, possible for a prudent person not always to

[51] Reading *Ad hoc est auctoritas II Ethicorum* (Q) for the edition's *Ad hoc etiam videntur esse ratio et auctoritas Philosophi II Ethicorum*. The intrusion of *ratio et* is puzzling, because at this point Scotus is expressly arguing from authority; the arguments from reason begin in the next paragraph.

[52] Henry of Ghent, *Quodl.* V q. 17 in corp.

be considering the things that belong to prudence but instead sometimes voluntarily to consider other things.[53]

Also, the will has that willing to avert the intellect either with the correct dictate remaining present or not. If the correct dictate remains present, then the will (by your lights) is not sinning at that time, because a correct dictate remains present when it wills to avert the intellect; and thus that averting of the intellect is not a blinding that follows from sin, because as yet there is no sin. If the correct dictate does not remain present, then the will has this will to avert the intellect with some other act being present. I ask: from what source does this other act come about? It is either by chance, in which case that chance act is not a blinding that follows from sin, or else through an act of will, in which case one must posit an additional act of intellect, prior to the willing to avert the intellect—and then there will be an infinite regress, because the willing to avert the intellect took place with that posited act of intellect being present. For it will always have to be the case that the will's willing to turn its attention to something is prior to its turning its attention to that thing; and thus if that willing was a sin, there was a bad willing with a correct dictate being present. Or if that was not the case, but instead there was always an incorrect dictate preceding that willing to avert the intellect, then there is in fact some dictate preceding every sin on the part of the will, and thus I have established my point. 68

Moreover, either the will chooses badly with a correct dictate remaining present, and thus I have established my point, or else, if it chooses badly with no correct dictate remaining present, it chooses on the basis of some other, incorrect, act of intellect, since in that case, by your lights, it would not sin. Therefore, that other, incorrect, act will be prior to the bad willing. Therefore, it will not be incorrect as a consequence of some other bad willing. And thus my point is established, because there is no circularity because of an infinite regress in causes and effects; and consequently the will does not blind the intellect with respect to the bad dictate that, according to you, follows from that bad willing. 69

Moreover, no wayfarer is wholly incorrigible; therefore, no one can be wholly in error concerning first practical principles. Proof of the inference: there are no means by 70

[53] The text of n. 68 in the edition is found only in PZB; the editors claim that the text of the other MSS was "canceled by Duns Scotus." That text reads as follows:

> Moreover, willing to avert the intellect requires an understanding that is temporally simultaneous and naturally prior. That dictate is either a correct dictate of reason that remains present, from which the will can will to avert the intellect—in which case it follows, by your lights, that this willing to avert the intellect is not a sin, because it coexists with a correct dictate—or else that act, which is previous to the willing to avert the intellect, is distinct from the correct dictate. If that distinct act is correct, the same thing follows as before, namely that the willing to avert the intellect is not a sin, and thus no blinding follows from it; by contrast, if that previous act is not correct, this will not be a case of a blinding of the intellect that follows the willing to avert the intellect, because it precedes that willing.

which someone who is in error concerning first practical principles can be recalled to the good, since he will deny any premise someone might try to use to persuade him; for there can be no premise that is better known than a first practical principle.

71 Also, the damned do not assent to "God is to be hated" as true, since if they did, they would not have that worm of which the last chapter of Isaiah [66:24] says, "Their worm will not die." They would just enjoy hating God without remorse. Therefore, etc.

72 *b. Scotus's opinion* On this topic it can be said that an unqualifiedly correct dictate can remain present in the intellect without any correct choice in the will in accordance with that dictate; and thus, given that a single act of dictating correctly generates prudence, prudence will be generated in the intellect apart from any habit of moral virtue in the will.

73 And if that is the case, a question arises: how does badness blind the intellect according to those authorities [nn. 52–3]?

74 It can be said that it blinds the intellect in two ways: privatively and positively.

It does so privatively in that it averts the intellect from correct consideration. For the will, by choosing the opposite of something that has been dictated rightly, does not permit the intellect to focus very long on that correct dictate. Instead, it directs the intellect to consider arguments for the opposite (if there can be sophistical or probable arguments for the opposite) or at least to consider some other irrelevant thing, so as to avoid the actual dissatisfaction that is an element of the remorse one feels when choosing the opposite of what the intellect dictates.

75 It blinds the intellect positively in the following way. Just as a will that rightly chooses an end commands the intellect to consider the things that are necessary for that end, and the intellect by inquiring into the means ordered to that correct end generates in itself a habit of prudence, so too a will that chooses a bad end for itself (for it can indeed adopt a bad end for itself, as was explained in Book 1, d. 1 [nn. 16, 67]) commands the intellect to consider means necessary to attain that end. Augustine rightly says of this in the last chapter of *City of God* XIV [c. 28] that the will has its own powers, as he discusses at length in that book. That is, when the will uses its power to adopt a bad end for itself, it commands the intellect to find[54] the means necessary to attain pleasant things and avoid the frightening things that are opposed to them. Now when the will has chosen rightly and the intellect dictates means to attain that rightly chosen end, the habit generated in the intellect through the will's command is prudence. Similarly, the habit acquired through the intellect's dictate concerning things ordered to a wrongly chosen end is an error and a habit directly opposed to the habit of prudence; it can be called "imprudence" or "foolishness," not just privatively but positively and contrarily. For just as a prudent person has a habit

[54] "find": *invenire*. The edition adds *vel adducere* (A).

by which he rightly chooses things ordered to an appropriate end, so this person has a habit for correctly and readily choosing means ordered to the end adopted by a bad will. And since such a habit is generated through the command of a will that chooses badly, it is to this extent true that a bad will causes blindness—not, in fact, by making the intellect err concerning any judgments, but rather by causing the intellect to possess an act or habit of considering other means to a bad end. And this whole habit is an error in the domain of action, though it is not an error that involves being mistaken in speculative thought.

There could be another matter of controversy here: given that a correct intellectual habit and a correct appetitive habit are not necessarily generated at the same time, because it is possible for someone to dictate well about particular matters but not act well concerning those same matters,[55] is an intellectual habit generated without moral virtue prudence, and (conversely) is a habit generated in the appetite without the intellectual habit a moral virtue? 76

As for the first part of that question, it could be said that strictly speaking there is no prudence without moral virtue, because prudence is right reason concerning possible actions,[56] which certainly requires correct appetite, according to *Ethics* VI.2 [1139a22–31]; and appetite is not correct apart from moral virtue. And if this were true, then the first dictates concerning the principles of possible actions would be correct, and yet they would not be instances of prudence, but rather seeds from which prudence can grow. But even if there were a habit that dictated correctly concerning the means that are necessary for an end adopted by the will, it would still not be prudence. 77

One can identify two correct intellectual habits concerning possible actions, neither of which would be prudence.[57] One such habit would precede correct choice of a particular end; that would not be prudence because prudence concerns means that are ordered to an end. For prudence is a deliberative habit, and deliberation is not about the end but about things that are for the end.[58] Because it is deliberative it is also a discursive habit, and thus [it deliberates] about the things it considers discursively. Now once a good end has been chosen, not merely in general but even in 78

[55] "because . . . same matters": *quia contingit bene dictare circa aliqua non bene agendo circa illa* (Q). For *aliqua . . . illa* the edition reads *hoc . . . illa*, which suggests, wrongly, that the good judgment concerns one topic and the failure of good action a different one.

[56] Cf. *Auctoritates Aristotelis* 12, 112: "Prudence is right reason concerning possible actions." Cf. Scotus, *Metaph.* VI q. 1 n. 68: " 'Reason concerning possible actions' in the definition [of prudence] should be understood as meaning reason that gives direction perfectly, immediately, and in particular concerning possible actions. By contrast, moral science has to do with possible actions in a different way, namely, universally, and of itself it is insufficient to give direction concerning possible actions."

[57] *Posset igitur poni duplex habitus intellectualis circa agibilia rectus et neuter esset prudentia* = Q. I do not know how to make sense of the edition's *Posset ergo poni duplex habitus intellectualis circa agibilia—et rectus et neuter—prudentia.*

[58] Aristotle, *Nicomachean Ethics* III.5, 1112b11–12.

particular—for example, "One ought to live chastely"—there could be a habit of the intellect that makes correct dictates about things that are for the end but is not accompanied by correct choice. That habit would be prudence as far as its object goes, because it would be right reason concerning things that are for the end, but it would be lacking one condition, namely, it would not be in harmony or conformity[59] with right appetite concerning those same objects.

79 In keeping with this approach one would have to say that whatever habit is generated in the intellect, even if it is practical and correct, whether it concerns a particular or universal end or the means necessary to attain a particular chosen end, it is not prudence if it is not accompanied by correct choice on the part of the will concerning those same objects.

80 Someone might argue against this, along the same lines as the earlier objection in the discussion of the connection of the moral virtues [nn. 26–30], that in this harmony it would follow that prudence constitutes moral virtue and vice versa, and thus both habits (prudence and a moral virtue) would be ultimately generated through a single act; but that act could not be an act of both intellect and will, but only of one or the other; therefore, it could not generate a habit in both of them. In response, it could be said that it is not necessarily for one moral virtue to conform to another, because no moral virtue is a rule for another; but it is necessary for each moral virtue to conform to prudence, because it is part of the definition of virtue that it is a habit concerned with choice that accords with right reason. And for that reason a habit can be constituted in moral being through prudence by way of concomitance, and prudence through a moral habit, but this is not the case for the moral virtues in relation to each other.

81 And then it would be conceded that one habit would be generated as prudence and another as a moral virtue at the same time, and that they would be generated by a single act,[60] which ultimately generates either moral virtue or prudence. For it is absurd in the domain of morals that a single act should ultimately generate two moral virtues.

82 But this is not absurd in the case of prudence and temperance, because the very act that generates prudence qua regulative also generates temperance qua regulated. For temperance has the character of a virtue only as something regulated by reason, and so [the act that generates the habit of prudence in reason thereby also] generates temperance as a virtue. One cannot argue in the same way about temperance and courage, because courage is not the rule of temperance.

83 It would therefore be said that there is no relation of priority involved in their constituting each other as virtue, as though one virtue were prior and caused the

[59] BNYQ omit "or conformity." [60] The edition follows A alone in reading "habit or act."

other to be a virtue; rather, the intellectual habit of prudence and the moral virtue corresponding to it are naturally simultaneous.

And if one asks, "Through what are these two habits generated in perfect being?"— 84
I concede that they are generated through a single act, whether that act is a correct choice (since apart from a correct choice of an end there is no intellectual habit in conformity with right reason, and therefore no prudence) or an act of the intellect (since apart from a correct dictate of the intellect there is no choice in conformity with right reason, and therefore no virtuous choice or choice that generates moral virtue). So both an act of intellect and an act of will, by generating something per se in natural being, can concomitantly generate it in relative being and, further, concomitantly generate its correlative; and in this way a single act would generate a moral virtue and its associated prudence naturally simultaneously.

In keeping with this approach, it would be said that either habit as preceding a correct 85
choice would indeed be a habit of moral knowledge or a particular instance of moral knowledge. In the domain of production, an artisan differs from a person of experience in that an artisan knows why something is the case, whereas the person of experience knows only that it is the case (*Metaphysics* I [981a28–30]); and the artisan is not prepared for action, whereas the person of experience is, as is said in the same place.[61] Similarly, in the moral domain someone who has a correct habit concerning a principle or a conclusion regarding action but is not experienced in acting (that is, in directing his own conduct in matters of action), may have a remote directive habit—a habit that can be called moral understanding or moral science—but does not have a proximate directive habit. Prudence, like the habit of the person with experience in the domain of production, is that sort of proximate directive habit.

Although that statement of the distinction between practical science and prudence 86
seems probable, prudence is not concerned solely with means ordered to the attainment of the ultimate end; it also gives dictates about the end itself, at any rate about a particular end (for example, chastity).

This is proved, first, as follows: moral virtue always follows some prudence according 87
to a certain order of nature, and moral virtue is generated from the choice of a particular end (for example, chastity); therefore, some prudence precedes that choice. Therefore, it is evidently a mistake to restrict prudence so narrowly and regard it as nothing more than a habit concerning determined and dictated means that are ordered to a particular chosen end; rather, prudence of itself and properly also concerns the end itself.

[61] This seems to be a garbled version of a comparison Aristotle draws, not between the artisan and someone who has experience, but between someone who has experience (but no theory) and someone who has theory (but no experience): "We see that people of experience have greater success than those who have theory without experience." *Metaphysics* I.1 981a14–15.

88 This is also proved, second, because if prudence did not concern the end, there would not be one prudence corresponding to one moral virtue. For a moral virtue is one because the end that the virtue principally inclines someone to choose is itself one. But if prudence gave dictates only about means to an end, and not about the end itself, then there would be no one object in virtue of which dictative prudence would itself be one. Instead, there would be many prudences, dictating many means to the end, and yet there would be one moral virtue because there would be one end.

89 So both because of the natural priority of prudence to moral virtue [n. 87] and because of the unity of prudence with respect to a single moral virtue [n. 88], it should evidently be conceded that the practical habit[62] that dictates correctly regarding a particular end is properly prudence.

90 And the claim that that prudence is a deliberative habit and thus a discursive habit concerning what is for the end [n. 78] is no objection to this. For prudence gives dictates concerning the proper ends of the moral virtues by reasoning discursively from a practical principle, taken from the universal end, toward particular ends.[63] And this discursive reasoning is the first deliberation, although the word 'deliberation' is more commonly applied to reasoning about the means of the virtues.

91 As for the additional claim that prudence is in harmony with correct desire [n. 78], that has no force. For what is naturally prior obviously cannot have something definitive of itself that depends on what is posterior. Now prudence, as prudence, is evidently naturally prior to moral virtue, since it defines moral virtue. So (as I discussed in Book I in the question on practical and speculative theology [prol. nn. 236–7, 265–9]) the claim that prudence is "in harmony with" correct desire should be understood to mean that prudence is such as to bring correct praxis into conformity with itself: that is, the cognition must be intrinsically such that correct practice ought to be conformed to it. But the cognition has this character whether or not correct choice follows in the same person who makes the dictate.

92 So it can be said otherwise that this habit generated from dictates, whether concerning ends (at any rate particular ends that are properly the ends of moral virtues) or concerning means ordered to those ends (concerning which perhaps there are no habits distinct from the habits that concern those ends), is properly prudence, even if correct choice does not follow in the same person who makes the dictate.[64] Thus

[62] Reading *habitus* with PBNYQ for the edition's *actus*.

[63] Reading *ad particulares fines* (suggested by the varied readings in BNYQ) for the edition's *particulari, politico*.

[64] Reading *dictante* for the edition's *dictamine* (AN). As at the end of n. 91, the point is that the very person who makes the correct dictate need not then choose correctly in order for the correct dictate to manifest prudence—not that correct choice need not follow in the same *dictate*. (Moreover, how can a correct choice, an act of will, be *in* [or fail to be in], a dictate, which is an act of intellect—let alone in *the same* dictate?)

there will be no necessary connection at all between any moral virtue and the prudence that dictates concerning the matter of that virtue.[65] Nonetheless, conversely, no choice can be morally right unless it is in harmony with its rule and measure, which is a correct dictate. Now a correct dictate is apt to generate prudence.[66] Therefore, one can concede that there is a connection in the opposite direction: moral virtue cannot exist apart from prudence concerning the matter of that virtue.

One can reply to the arguments and the authoritative passages drawn from Augustine 93
[nn. 43–59]. On this, look up Henry, *Quodlibet* IX, q. 5.

2. THE CONNECTION OF ALL THE VIRTUES TO A SINGLE PRUDENCE

Regarding the other part of this topic, the connection of all the virtues to a single 94
prudence, the Philosopher evidently says that they are connected: *Ethics* VI.7 [VI.13, 1145a1–2], "When the single prudence exists in someone, all [the virtues] will be present." Look up the Commentator's remarks on this passage.[67]

a. Henry of Ghent's view One can answer the question of how there can be a single 95
prudence for the whole domain of morals in the same way one answers the question about the habit of science. Look up the view and its refutation in *Questions on the Metaphysics* VI, q. 1.[68]

b. Scotus's view On this topic it should be said that prudence concerns possible 96
actions in just the same way that art concerns possible products. There is no greater connection among possible actions, such that there should be a single habit that concerns them, than there is among possible products. Therefore, just as diverse possible products require diverse arts of their own, so too diverse possible actions require diverse prudences of their own. And just as one can be morally well-affected concerning certain possible actions and ill-affected concerning others, so too in dictating one can be habituated to dictating well concerning these matters and not concerning those—since[69] the former matters are neither principles for dictating concerning the latter nor conclusions following from them.

[65] This is a clumsy way of expressing the claim that prudence regarding a particular domain does not guarantee possession of the moral virtue that concerns that domain.

[66] The edition adds *etiam unitam*, "even a unitary prudence." I follow Q in omitting it. (As we shall learn in nn. 96–100, Scotus does not believe in a unitary all-encompassing prudence. Alternatively, we could read *unicam* and translate "even a single prudence." But the argument in no way depends on prudence's being either unitary or single, and it seems better to read with Q and omit the superfluous expression.)

[67] Eustratius, *In Eth. ad Nic.* VI c. 18.

[68] Henry of Ghent puts forward his view in *Quodl.* IX.4. Scotus states Henry's view in *Metaph.* VI q. 1 nn. 13–16 and immediately refutes it in nn. 17–38. He also gives a brief exposition and refutation in *Lectura* III d. 36 nn. 87–9, 91–101.

[69] Reading *cum* (PZBQ) for the edition's *tamen*.

97 I explained in that question in *Metaphysics* VI [q. 1 nn. 17–27, 40, 42] how all the prudences are a single habit and all the habits of geometry belong to a single universal science. One must understand this not as formal unity but as virtual unity. Just as the habit that concerns the first subject is formally one from that subject and is virtually, but not formally, the habit of all the things contained in that first subject, so too the habit that is formally the habit of a given end in a given domain of action is virtually the habit of all the things practical cognition of which is virtually included in that end. But it is not formally the habit of all those things. And thus there is one prudence formally that is virtually a habit concerning all the virtues, extending the name 'prudence' to the habit that is the understanding of the first practical principle.

98 On this basis one can expound the authoritative passage from the Philosopher, *Ethics* VI, that says "when the single prudence exists in someone," etc. [n. 94]. One way to interpret it is that he is speaking of a single prudence formally, and then this should be understood to mean that when the single prudence exists in someone and is perfect—not merely in intensity but also in extent—all the virtues will be present. Now prudence is never as perfect in extent as it could be unless it is perfect with regard to everything to which it can extend itself, and those are all the objects that pertain to each of the moral virtues.

99 The other way to interpret this passage understands it as speaking of prudence as one not formally but as a genus. For just as the Philosopher says that temperance is one virtue and is formally distinct from courage, and yet each of these virtues is a kind of intermediate genus that contains several distinct species (as I discussed earlier [d. 34, nn. 31–3]), so too one can say that prudence, which has its place in this list of intermediate genera, is one because it is one intermediate genus, even though it contains several distinct species.

100 And if we understand the unity of prudence in this second way, all the moral virtues are connected to generically-one prudence insofar as each individual virtue is connected to an individual species of prudence. This presupposes what was said on the previous topic [nn. 77–83] about the reciprocal or non-reciprocal connection of each virtue to its own prudence.

C. The connection of the moral virtues to the theological virtues

101 On the third topic Augustine evidently says in *Against Julian* IV.3 that there are no genuine or perfect virtues apart from charity. He argues for this on the grounds that such a person would not boast perfectly in the Lord.[70]

102 Against this: Augustine in his sermon *On Endurance* [c. 26, n. 23] (quoted in Gratian, part 2, "On penitence," distinction 3, chapter 49, *Si quis*): "If a heretic or a schismatic

[70] Reading *Domino* for the edition's *Deo* (AS). Augustine is alluding to 2 Corinthians 10:17, "Let the one who boasts, boast in the Lord."

dies rather than deny Christ, will we not commend his endurance?" Therefore, he has endurance but not faith or charity; therefore, there can be endurance without charity.

Also, when things are essentially ordered as a disposition and the acquired form to which it is a disposition, the disposition can exist without the form but not vice versa. The moral virtues are evidently dispositions[71] to charity, as natural happiness is a disposition to supernatural happiness. 103

Furthermore, third, the definition of moral virtue can be perfectly satisfied in someone apart from any theological virtue. 104

It can be said that no virtues incline to the ultimate end except through the mediation of the virtue that in and of itself concerns the ultimate end; and thus, given that charity alone immediately concerns the ultimate end, the other virtues are not ordered to the ultimate end except through the mediation of charity. Now inasmuch as they are certain instruments for perfecting human beings, they ought to be instruments for ordering human beings to the ultimate end, in which their supreme perfection consists; and therefore they are imperfect without charity, without which they cannot order human beings to the ultimate end.[72] Nonetheless, because this imperfection does not characterize them according to their species (for no moral virtue according to its species is meant to order human beings immediately to their ultimate end), it follows that any moral virtue can be perfect in its species apart from any theological virtue. That is why the moral virtues are said to be unformed apart from charity and formed by charity,[73] precisely to the extent that charity orders the moral virtues and their ends to the ultimate end, an ordering in which their supreme and genuine extrinsic perfection consists. 105

On this basis the response to the authoritative passage from Augustine [n. 101] is straightforward: the virtues are not genuine apart from charity in that they do not lead one to happiness apart from charity. 106

But there is controversy about whether, conversely, the theological virtues presuppose the moral virtues. 107

As far as their acts are concerned, it is clear that they do not. For if someone who was once vicious is newly converted, he has all the theological virtues from the outset, and yet he has no moral virtues (at any rate, no acquired moral virtues). For he does not have pleasure in doing all the things to which his virtuous habit inclines him; indeed, it would be pleasant for him to act in accordance with the old vicious habit he had previously acquired, and unpleasant to act contrary to it. 108

[71] Reading *dispositiones* (NYQ) for the edition's *dispositio*.
[72] Reading *sine qua non possunt sic ordinare* (Q) for the edition's *ad quam non possunt sic ordinari*.
[73] Bonaventure, *Sent*. III d. 36 a. un. q. 6 in corp.; Thomas Aquinas, *Sent.* III d. 27 q. 2 a. 4 qc. 3 in corp., *ST* II-II q. 23 a. 8 in corp., *De caritate* a. 3 in corp. and others. See Scotus, *Quodl*. q. 17 n. [8].

109 Someone might say[74] that all the moral virtues are infused in him from the outset (and likewise for an infant at baptism) and thereby the connection is preserved, because even if he does not have innate virtues he does have infused virtues. (He argues for this on the grounds that one will have them in heaven according to Augustine, and he also appeals to the Master in the text of the *Sentences*;[75] but it does not seem probable that one would have them in heaven, according to Augustine, unless one had them in this present life, and one would not acquire them instantaneously in this present life when one dies.[76]) But although many things are said about these infused moral virtues, namely that they appear to be necessary on account of the mode or the mean or the end,[77] in fact the inclination of charity is sufficient to determine a virtue to any end that it cannot have from its own species, and the mode or mean is sufficiently determined by infused faith. So there is evidently no necessity to posit additional, infused, moral virtues distinct from the acquired virtues in people who possess, or are capable of possessing, the acquired virtues. But then there is also no necessity to posit them in anyone else, since there is no greater reason why they should be infused in anyone else than in those who have, or can have, the acquired virtues.

110 And one could say in response to the point about infants [n. 109] that it is not necessary to posit that infants[78] have moral virtues in heaven; it is enough that they are well-disposed toward desirable objects by charity (charity of course disposes one toward everything willable under one aspect of being willable), just as there is no need for them to have knowledge (*scientia*) of all things in their own genus, but instead it is enough for them to know (*nosse*) them in the Word, which is perfect knowledge (*notitia*).

111 Or, second, if infants will have moral virtues in heaven, it can be said that those virtues are infused in them in the instant of happiness. For it is not more necessary that they be given in baptism the things that are appropriate for a wayfarer (assuming they will at some time be a wayfarer) than it is that they be given in the instant of happiness the things that are appropriate for one who has attained the end. Indeed, the latter is more[79] reasonable than the former.

[74] Thomas Aquinas, *ST* I-II q. 65 a. 2 in corp., a. 3 in corp., III q. 69 a. 6 in corp., I-II q. 67 a. 1 in corp., *Sent.* IV d. 4 q. 2 a. 2 qc. 1 in corp., III d. 33 q. 1 a. 4 in corp. and ad 5.

[75] Thomas Aquinas, *ST* I-II q. 67 a. 1 in corp., quoting Augustine, *De Trin.* XIV.9.12 and Peter Lombard, *Sent.* III d. 33 c. 3 n. 3.

[76] Thomas Aquinas, *De virtutibus cardinalibus* a. 4 in corp.

[77] That is, because of the *way* in which the infused moral virtues act, the kind of *mean* or *intermediate* they seek, and the *end* to which they direct their possessor. See Thomas Aquinas, *De virtutibus in communi* a. 10 in corp. and ad 8, *Sent.* III d. 27 q. 2 a. 4 qc. 3 in corp.; Bonaventure, *Sent.* III d. 27 a. 2 q. 5 in corp.; Richard Middleton, *Sent.* III d. 27 princ. 9 q. 2 in corp. Scotus presents this aspect of Aquinas's view in language deriving from Henry of Ghent, *Quodl.* VI q. 12 in corp.

[78] For 'infants' in this and the next two paragraphs, read "those who have died in infancy or early childhood."

[79] Q alone reads *magis* ("more"), but the edition's *minus* ("less") gives the opposite of the sense required.

Or, third, it can be said that if the moral virtues are appropriate for some perfection on the part of one who has attained the end and are not given in the instant of glorification, infants will be able to acquire them through their own acts in heaven. For just as there is evidently no reason they cannot learn knowable things in their own genus that they had not known before, so too there does not appear to be any reason why they will not be able, through good choices concerning things desirable for the sake of the end (and not only insofar as they are to be willed for God's sake but even insofar as they are to be willed for their own benefit), to acquire a moral habit that inclines them to choose such desirable things under the relevant particular aspect[80] and thus to acquire a moral virtue. 112

So as far as this topic is concerned, just as I said earlier [n. 105], I say that the moral virtues do not require the theological virtues in order for the moral virtues to be perfect in their species, though apart from the theological virtues they lack the further perfection that they could have; thus the converse—that the theological virtues, whether in this present life or in heaven, necessarily require the moral virtues—need not hold either. 113

D. The connection of the theological virtues with each other

On the fourth topic, the connection of the theological virtues with each other, I say that they are not connected. This is clearly true of heaven, where the habit and act of charity will remain apart from the habit and act of faith or hope.[81] And it is also clearly true of this present life, where faith and hope remain in a sinner apart from charity. So there is no necessary connection in terms of the existence of these habits. 114

But what about their coming to be, in other words, their being infused? Is there some connection such that one cannot be infused apart from the others? 115

My response is that if things can be separated in their existence, such that one can exist apart from the other, God can separate them in their coming to be or their being infused. Thus, as far as their being infused is concerned, they are not necessarily connected in themselves; rather, they are connected because of God's generosity. For God perfects the whole human being, as Augustine says in *On True and False Repentance*: "It is impious to look to[82] God for half-measures of grace; God never grants bodily healing without doing so completely, and likewise he does not heal anyone spiritually without healing him completely."[83] Now there is perfect health in 116

[80] "under the relevant particular aspect" = *sub propria ratione*, that is, under the aspect or description under which the objects fall within the domain of a particular moral virtue.

[81] Cf. 1 Cor. 13:8–13.

[82] Reading *sperare* (S) for the edition's *separare*. *Sperare* could be dismissed as a scribal correction (since it is the word that appears in the pseudo-Augustinian text that is being rather inaccurately quoted here), except that (1) the sense demands it and (2) it is hard to make sense of the edition's reading ("It is impious to separate half-measures of grace from God"?).

[83] Cf. pseudo-Augustine, *De vera et falsa poenitentia* c. 9 n. 23.

the intellect if it has faith and in the will if it has charity and hope. See Gratian, "On penitence," distinction 3, *Sed quod*.[84]

117 But if someone were to ask whether faith and hope apart from charity would be virtues, it can be said (as was said earlier about the [moral] virtues [n. 105]) that they can be perfect in their species, that is, as principles of their proper acts concerning their proper objects; but apart from charity they cannot have that ultimate perfection that they have in attaining the end to which they are ordered by charity. And this is in fact a perfection both in the moral virtues and in the theological virtues, even though it is typically said that the perfection consists in attaining the end through some elicited action, or exists through some ordering of the acts of the moral or theological virtues to the end. But in fact it can be said that this perfection consists strictly[85] in [the virtue's] being accepted by God, who orders it to happiness.[86] Indeed, no virtue or act of a virtue is accepted apart from charity,[87] which "alone divides the children of the kingdom from the children of perdition."[88]

II. Replies to the preliminary arguments

119 Replies to the preliminary arguments:

I concede the first two [nn. 2–3], since they include what was said in the first article [n. 33].

120 To the third argument [n. 4] I reply that although from frequent acts of a certain sort a quality is generated that is apt to be a moral virtue (since it is apt to be in harmony with right reason, and it would be a virtue if it coexisted with right reason in the agent), nonetheless, because there is no correct dictate in the act, the rule for correct action is lacking. And for that reason this choice, which is apt to be correct, is not in fact correct, because it is not subject to the proper rule. Consequently, even if repeated action generates a certain quality, it does not generate a habit for choosing correctly, and consequently it does not generate a virtue.

121 I concede the fourth argument [n. 5], since its conclusion is what was said in the second article about the connection of the moral virtues with prudence [n. 72].

122 To the other arguments that follow, the ones about incompossible virtues [nn. 7–8], I concede that although one could respond that no virtues, even at the species-level,

[84] Gratian, *Decretum* pars 2 causa 33 q. 3 'De poenitentia', d. 3 c. 41–2.

[85] "strictly": or "chiefly" (PNQ).

[86] Cf. Scotus, *Ordinatio* I d. 17 n. 129.

[87] Reading *Sic quippe nulla virtus nec eius actus acceptatur sine caritate* (Q) for the edition's *sic quippe nulla virtus moralis, nec infusa nec actus moralis etiam, acceptatur sine caritate* ("Indeed, no moral virtue, not even an infused one, nor any moral act either, is accepted apart from charity"—the limitation to moral virtues and acts makes no sense given that Scotus has just said that his point applies to both moral and theological virtues).

[88] Augustine, *De Trin.* XV.18.32; cf. Scotus, *Ordinatio* II d. 27 n. 8.

are incompossible, nonetheless, as examples for our present purposes, they do support the conclusion[89] that diverse species of the same genus of moral virtue, or of diverse genera, are not necessarily connected; and that was conceded in the first article of this question [n. 32].

[89] Reading *concludunt* (Q) for the edition's *includunt*. The edition (incorrectly) shows no variant readings for *includunt*; *concludunt* is clearly the word that is needed.

32

Ordinatio III, d. 37, q. un.

"Do all the precepts of the Decalogue belong to the natural law?"

1 Concerning distinction 37, I ask whether all the precepts of the Decalogue belong to the natural law.

2 For the negative:

It does not appear that God can make dispensations from precepts that belong to the natural law. But God did make dispensations that appear to be contrary to precepts of the Decalogue. Therefore, etc.

3 Proof of the major premise: Precepts belonging to the natural law are either practical principles known from their terms or conclusions that follow necessarily from such principles. In either case, they have necessary truth. Therefore, God cannot make them false. Therefore, he cannot make what they mark out as good to be anything but good, and he cannot make what they prohibit to be anything but bad; and thus he cannot cause something illicit to be licit.

4 Proof of the minor premise: Killing, theft, and adultery are contrary to precepts of the Decalogue, as is clear from Exodus 20:13–15, "You shall not kill," and so forth. Yet apparently God gave dispensations from those precepts. In the case of murder, this is evident from Genesis 22 in the story of Abraham and his son, whom he was commanded to sacrifice. As for theft, this is evident from Exodus 11 and 12, in which God commands the children of Israel to despoil the Egyptians; this despoiling is a taking of someone else's property without the owner's consent, which is the definition of theft.[1] As for adultery, see Hosea 1:2: "Make children of fornications."

5 Moreover, in Romans 7:7 the Apostle says, "I would not have known covetousness if the law had not said, 'You shall not covet.'" But things that are known on the basis of the natural law are known to be required or prohibited even if they are not written

[1] Scotus takes the wording of his definition of theft—*furtum est contrectatio rei alienae, invito domino*—from Bonaventure, *Sent*. III d. 37 dub. 7. Its ultimate source is *Iustiniani Institutiones* IV c. 1 n. 1.

down, just as in speculative matters things that are known naturally would be known naturally even if they weren't revealed, and so on.

Moreover, the natural law is obligatory in every state, since what such a nature ought to do or not do is known. But the Decalogue was not obligatory in every state: it was not obligatory in the state of innocence, because at that point no law had been given, and a law is evidently not obligatory before it is given. 6

On the contrary: 7

At the beginning of the *Decretum* [pars 1, d. 6, c. 3], *His itaque*, we read that "The natural law abides as it is: whatever things are found in the Law or the Gospel." And note 1 John 2.[2]

I. Response to the question

A. The views of others

1. EXPOSITION OF THE VIEWS

There is one view[3] that holds that the whole of the Decalogue belongs to the natural law. 8

The reasoning behind that view goes like this.[4] The natural law proceeds from first-known principles concerning possible actions. These are first practical principles, known from their terms, which are the primary seeds of the truth to which the intellect is naturally inclined on the basis of their terms; and the will is naturally inclined to assent to such a dictate from the intellect. All the precepts that are contained in the Decalogue follow either immediately or mediately from such principles. For all the things commanded in the Decalogue have a formal goodness by which they are directed, in and of themselves, toward the ultimate end, so that through them human beings are turned toward that end. And all the things prohibited in the Decalogue have a formal badness that turns people away from the ultimate end. Thus, the things commanded in the Decalogue are not good merely because they are commanded, but rather the reverse: they are commanded because they are good. And the things prohibited in the Decalogue are not bad merely because they are prohibited; rather, they are prohibited because they are bad. 9

Consequently, it appears that the right reply[5] to the first argument above [n. 2] is that God cannot give dispensations from such precepts, period. For what is illicit in and of 10

[2] 1 John 2:7: "Beloved, I am not writing a new commandment to you, but an old commandment that you had from the beginning; the old commandment is the word that you have heard."

[3] Thomas Aquinas, *ST* I-II q. 100 a. 1 arg. in opp.; Richard Middleton, *Sent*. III d. 37 princ. 1 a. 1 in corp.

[4] Thomas Aquinas, *ST* I-II q. 94 a. 2 in corp., q. 100 a. 1 in corp.; Richard Middleton, *Sent*. III d. 37 princ. 1 q. 1 in corp.

[5] Thomas Aquinas, *ST* I-II q. 100 a. 8 in corp.; Richard Middleton, *Sent*. III d. 37 princ. 1 q. 5 in corp.

itself evidently cannot be made licit by any will. For example, if killing is a bad act in virtue of being an act that has its external effect on such-and-such an object (say, one's neighbor), then, so long as that cause is what it is, the act will always be bad. And thus no willing that leaves the essential elements [i.e., the nature of the act and its object] intact can bring it about that the act is good.

11 Of course, then you have to give some interpretation of the Scriptural passages that seem to say God made dispensations from such precepts [n. 4].

One way of interpreting them[6] is as follows: Even if a dispensation for an act could be given insofar as that act falls under some general description, there can be no dispensation for an act insofar as it is prohibited, contrary to the intention of the one who issues the command; and thus, there can be no dispensation contrary to the prohibition.

12 An alternative interpretation[7] is that an act that remains disordered cannot be made well-ordered. Now insofar as an act is contrary to a prohibition, it is disordered. Therefore, God cannot give a dispensation for an act insofar as it is contrary to a prohibition.

2. REFUTATION OF THE VIEWS

13 Now these interpretations—which may well amount to the same thing—evidently fail to uphold the intended conclusion.

After all, giving a dispensation doesn't mean keeping the precept intact but allowing someone to act contrary to it. Giving a dispensation means either revoking the precept or else setting forth how it ought to be understood. For there are two kinds of dispensation: revocation of the law and clarification of the law. My question, then, is this: leaving all the circumstances in the act "killing a human being" just as they are, except for the one circumstance of the act's being prohibited or not, can God bring it about that that act, which with those very circumstances is at some time prohibited and illicit, is, at some other time, but with those same circumstances, not prohibited, but licit? If the answer is yes, then God has the power, without qualification, to give dispensations in just the same way that he changed the Old Law when he gave the New Law. With respect to the ceremonial law, he didn't make it the case that the precepts about ceremonial matters remained in force but were not to be observed; instead, he brought it about that the *act* remained the same but people were not required to perform it as they had been required before. This is also how any legislator makes unqualified dispensation when he revokes a precept of positive law he had established, making it so that the prohibited or illicit act remains the same in itself but the characteristic of being-prohibited or being-illicit is removed,

[6] Richard Middleton, *Sent.* III d. 37 princ. 1 q. 5 ad 2–3; Thomas Aquinas, *ST* I-II q. 100 a. 8 ad 3.
[7] Godfrey of Fontaines, *Quodl.* IV q. 11 in corp.

and the act is made licit. But if God cannot make it the case that this act, which with such-and-circumstances was prohibited, is no longer prohibited, then he cannot bring it about that killing is not prohibited. But it is perfectly clear that God did just that in the case of Abraham as well as in many other cases.

Moreover, propositions that are true in virtue of their terms—whether they are necessary in virtue of their terms or follow from such necessary truths—have their truth prior to any act of will; or at any rate they have their truth even if, *per impossibile*, there is no willing. Therefore, if the precepts of the Decalogue (or those practical propositions that can be formed from them) had such necessity—say, if the following were necessary: "One's neighbor is not to be killed or hated," "Theft is not to be done," and so on—it would follow that, independently of any willing whatsoever on the part of an intellect that apprehends them, those propositions would be necessary. Thus the divine intellect, apprehending such propositions, would necessarily apprehend them as true in and of themselves. And then the divine will would necessarily conform to the apprehended propositions; otherwise, it would not be upright. And then one would have to posit practical knowledge in God, which was denied in the question on praxis in Book I, distinction 1.[8] One would also have to posit that God's will is determined in an unqualifiedly necessary way with respect to possible objects of willing other than himself, which is contrary to what I said in Book I, distinction 2 [nn. 79–81], where I discussed the fact that God's will tends only contingently to anything other than God himself. 14

Now you might say[9] that, necessarily, a created will ought to conform to these propositions in order to be upright, whereas the divine will is not required to will in conformity with these truths; rather, it is precisely because God wills in conformity with them that they are true. But that simply reaffirms my conclusion [that God's will tends only contingently to anything other than God himself], since this objection proves the opposite [of what it's intended to prove]. For the divine intellect's apprehending these terms and, on the basis of apprehending them, being able to apprehend the truth of the proposition—the truth, I mean, that the proposition has in virtue of its terms—is naturally prior to the divine will's having any act concerning them. Therefore, in the second instant of nature, when the will has an act concerning them, it must necessarily will in conformity with that dictate [of the divine intellect]; and thus it cannot will the opposite.[10] 15

[8] Actually, this question is in the Prologue to the *Ordinatio*, nn. 330–1.

[9] Richard Middleton, *Sent.* III d. 37 princ. 1 q. 5 ad 2 in opp.

[10] The translation of this paragraph seeks to make sense of the reading of the critical edition, which is obscure. The manuscripts are very muddled here, and it is difficult to extract a clear and coherent line of argument from any of them.

B. Scotus's view

1. THE TWOFOLD WAY OF UNDERSTANDING WHAT BELONGS TO THE NATURAL LAW

16 In reply to the question, therefore, I say that there are two ways in which things can be said to belong to the natural law. The first way is as first practical principles known in virtue of their terms or as conclusions that necessarily follow from them. These belong to the natural law in the strictest sense.

17 The arguments given against the first opinion [nn. 13–14] prove that no dispensations can be given from such precepts. The *Decretum* speaks of these in the paragraph that begins *Denique*, at the end of distinction 4, where we read that "the natural law came to be from the beginning of rational creatures; it does not change with time, but abides unchangeably."[11] I concede those arguments.

18 But this is not what we should say in general about all the precepts of the second table,[12] since the nature of the things that they command or prohibit does not ground unqualifiedly necessary practical principles or unqualifiedly necessary conclusions. For there is no goodness in the things that those precepts command that is necessary for the goodness of the ultimate end, and there is no badness in the things they prohibit that necessarily turns one aside from the ultimate end: thus, if that good were not commanded, the ultimate end could still be attained and loved, and if that evil were not prohibited, the attainment of the ultimate end would still be possible.

19 It is otherwise with the precepts of the first table because they have to do directly with God as their object.

20 Indeed, if we understand the first two commandments as purely negative—the first as "You shall not have other gods" and the second as "You shall not take up the name of your God wantonly," that is, "You shall not do irreverence to God"—they belong to the natural law strictly speaking, because this follows necessarily: "If God exists, he alone is to be loved as God." And it likewise follows that nothing else is to be worshiped as God and that no irreverence is to be done to him. Consequently, God himself cannot give dispensations from these precepts so that someone could [licitly] act contrary to this or that prohibition. Cite two authorities for this conclusion from Richard, question 5, in his own answer.[13]

[11] Gratian, *Decretum* pars 1, d. 5. (Some codices of the *Decretum* place these words at the end of d. 4, hence Scotus's reference.)

[12] The Ten Commandments are traditionally thought of as divided into two "tables" or tablets, the first containing those that prescribe how we are to act toward God and the second containing those that prescribe how we are to act toward other human beings.

[13] Richard Middleton, *Sent*. III d. 37 princ. 1 q. 5 in corp., cites two passages from Augustine—*Contra Faustum* 22.27 and *De diversis quaestionibus 83* 53.2—to prove that God cannot dispense from *any* of the commandments of the Decalogue.

The third precept of the first table is about Sabbath observance. It is affirmative insofar as it requires that some worship be offered to God at a specific time, but insofar as it specifies this or that particular time, it does not belong to the natural law in the strict sense. The same goes for its negative part, which prohibits servile work during the specified time that would interfere with the worship to be offered, since such work is prohibited only because it impedes or restricts the worship that is commanded. 21

But there is some uncertainty about whether the precept concerning Sabbath observance, insofar as it requires that worship be offered to God at *some* specified time or other, belongs to the natural law in the strict sense. If it does not, then God could grant absolute dispensation so that a person would not be required to have any good motion toward God through the whole course of his life. And that doesn't seem probable, since without some good willing of the ultimate end, one cannot have any unqualifiedly good willing of things that are for the sake of the end; and thus one would never be obligated to have any unqualifiedly good willing of any kind. After all, if it doesn't follow from the natural law in the strict sense that one must worship God *now*, by parity of reasoning it doesn't follow that one must worship God five minutes from now, and so on for any specific time you care to name. Therefore, strictly speaking, there seems to be no way to reach the conclusion that anyone is obligated to worship God at any particular time; and so by parity of reasoning, there seems to be no way to reach the conclusion that anyone is obligated to worship God *at some time or other*—because no one is obligated to perform an act at some time or other unless he is obligated to perform it at some particular time, when certain [specified] conditions are met. 22

If, however, this third precept does belong to the natural law in the strict sense, in such a way that "God is to be loved" (at some particular time, and by some elicited act directed at God) follows necessarily from "God is not to be hated" or from some other given proposition, then the argument [in n. 22] from singulars to universals is not valid, but involves the fallacy of a figure of speech as in other arguments from multiple indeterminate causes to a single one of them.[14] 23

But if this third precept does not belong to the natural law in the strict sense, then we should draw the same conclusion about it that we drew about the precepts of the second table. 24

There is a second way in which some precepts are said to belong to the natural law, in that they are highly consonant with that law, though they do not follow necessarily from first practical principles that are known in virtue of their terms and are necessarily known by any intellect [that understands their terms]. 25

[14] See Peter of Spain, *Tractatus* tr. 7 nn. 92, 97–100 for a discussion of this fallacy.

26 And it is certain that all the precepts even of the second table belong to the natural law in this second way, since their rectitude is highly consonant with first practical principles that are known necessarily.

27 An example will serve to make this distinction clear. Assuming the principle of positive law that people ought to live together peaceably in a community or state, it does not necessarily follow that everyone therefore ought to have private property, or property distinct from the property of others. For there could still be peace in communal life even if people held all things in common. Not even if we assume that those who are living together in community are of weak character does it follow necessarily that they ought to have private property. Nonetheless, private property for people of weak character is highly consonant with getting along peaceably. For people of weak character care more for their own goods than for goods held in common, and they would prefer that common goods be entrusted to their own possession rather than shared with the community and those who look out for the community's well-being; and thus strife and disorder would arise.

28 Perhaps something similar holds for all positive laws: that although there is some one principle that is the basis for all those laws or edicts, positive laws do not follow with unqualified necessity from that principle; instead, they elucidate or explicate the principle as it bears on particular matters, and those explications are highly consonant with the general first principle.

2. SUMMARY OF SCOTUS'S CONCLUSIONS

29 So, to sum up: first, I deny that all the precepts of the second table belong to the natural law in the strict sense. Second, I concede that the first two precepts of the first table belong to the natural law in the strict sense. Third, there is some uncertainty about the third precept of the first table. And fourth, I concede that all the precepts belong to the natural law in the wider sense.

3. OBJECTION TO THE FIRST CONCLUSION

30 I argue against the first of these as follows. According to the Apostle in his letter to the Romans [13:9], "'You shall not kill,' 'You shall not commit adultery,' and every other commandment are summed up in this sentence: 'You shall love your neighbor as yourself.'" Therefore, the commandments of the second table are necessarily included in the commandment "You shall love your neighbor as yourself." For that is evidently what the Apostle is explicitly arguing in that passage; at the end, he draws this conclusion: "Those who love their neighbor have fulfilled the law." Now this same conclusion is established by the greater authority of the Savior in Matthew 22:40: "On these [two commandments, love of God and love of neighbor,] hang all the law and the prophets." Now love of neighbor follows necessarily from the necessary principle "God is to be loved." Therefore, etc.

So, from the first to the last, all the precepts of the second table follow from the principle that is the first precept of the first table; and if the precepts of the first table belong unqualifiedly to the natural law because they are included in the first principle or first precept, which belongs unqualifiedly to the natural law, it follows that the precepts of the second table also belong to the natural law in the strict sense, as conclusions of that same principle.

The proof of what is assumed in this argument[15] is evident from what I said in 31
commenting on distinction 28 of Book III [nn. 10–11], where it was proved in two ways that perfect love of God and rightly ordered love cannot be possessive, in the sense of appropriating [the loved object to oneself]. The first reason was that loving a common good as a good to be appropriated to oneself is disordered; the second was that if someone is unwilling for the one he loves to be loved by others, his love is disordered and imperfect. It follows, therefore, that in order for God to be loved perfectly and in a rightly ordered way, those who love God ought to will that their neighbors love God. And in willing this for their neighbors, they are loving their neighbors: it is in fact only in this way that one loves one's neighbor through charity, as the Gloss on that passage[16] says. Therefore, etc.

4. REPLY TO THE OBJECTION

There are three possible replies to this objection: 32

First, one could reply that the commandment "You shall love the Lord your God" does not belong to the natural law in the strict sense as *affirmative*, but only as *negative*, as prohibiting the opposite. What belongs to the natural law in the strict sense is "You shall not hate the Lord your God." Whether "You shall at some time love the Lord your God" belongs to the natural law in the strict sense was left unsettled in our discussion of the third commandment [n. 23]. And from the negative formulation it doesn't follow that one is required to will that one's neighbor love God. That would, however, follow from the affirmative formulation—but then it's not altogether clear that the affirmative formulation belongs to the natural law in the strict sense.

Second, one could reply that from the precept "You shall love the Lord your God" it 33
doesn't follow that I ought to will that my neighbor love God.

To the argument that a rightly ordered and perfect love can't be possessive [n. 31], 34
I reply that I am not obligated to will that a common good be someone else's good, and thus I am not obligated to will that anyone else love that good. It might even be

[15] Namely, that love of neighbor follows necessarily from love of God.

[16] See Peter Lombard, *In Epist. ad Rom.* 3:7–10: "For this is the divinely established rule for love of neighbor: that one love one's neighbor for God's sake.... Therefore, no one loves his neighbor unless he loves God. So as much as we can, let us devote ourselves to our neighbors, whom we love as we love ourselves, so that they too may love God."

inappropriate for me to will that that good be someone else's—say, because it does not please that good to belong to someone else, as God, who predestines one person and not another, wills to be the good of the one who is predestined and not the good of the other.

35 And along the same lines, it's clear how to reply to the argument that a person who loves someone perfectly wants the one he loves to be loved by others: one could say that this is true of anyone whose friendship is pleasing to the one he loves. But the natural law gives no assurance that God, who is (or ought to be) loved, accepts the love of any particular person.

36 Third, one could reply that even if the natural law in the strict sense does include the requirement to love one's neighbor in the way set forth earlier—namely, that one is obligated without qualification to will that one's neighbor love God, because that is just what it means to love one's neighbor—the precepts of the second table still don't follow from this: I mean, that one must will-against killing him (with respect to the good of his person) and that one must will-against committing adultery (with respect to the good of the person married to him), and that one must will-against stealing (with respect to the goods of fortune that he has at his disposal), and that parents should be shown honor not only by marks of respect but also by help and support, and so on for the other precepts of the second table. It is, after all, possible for me to will that my neighbor love God and yet not will, or even will-against, the preservation of his bodily life or of the fidelity of his spouse, and so forth. Consequently, it's possible for both of the following to be true at the same time: that "I ought to will that my neighbor love God in himself just as I ought to will that I love God" is a necessary truth, derived from practical principles, and yet that "I ought to will for my neighbor this or that particular good enjoined by a precept of the second table" is not a necessary truth.

37 And then one could reply to the authoritative passages from Paul and Christ by saying that *as a matter of fact* God has elucidated love of neighbor beyond what it includes as following from principles of the natural law. Thus, although love of neighbor as derived from principles of the natural law requires only that one will that one's neighbor love God in himself,[17] nonetheless, as elucidated [by God],[18]

[17] Reading *velle proximo ipsum diligere Deum in se* with Q. The edition reads *velle diligere proximum in se*, "that one will to love one's neighbor in himself," which does not fit the argument Scotus is making or the characterization of love of neighbor that has been at issue in nn. 30–6.

[18] "As elucidated [by God]" translates *ut explicatum est*. The edition takes these words to refer to the explanation given in n. 36 of the relationship between neighbor-love as included in the natural law in the strict sense and neighbor-love as commanded by the precepts of the second table, but that is clearly a mistake, since the argument of n. 36 supports exactly the opposite conclusion to the one Scotus is about to draw. Rather, the reference is to the claim in the first sentence of this paragraph that God "has elucidated"—*explicavit*—the requirements of neighbor-love beyond what is included in the natural law taken strictly.

it includes the requirement that one will certain goods for one's neighbor, or at any rate that one not will for one's neighbor the opposites of those goods—for example, that one ought not will that his bodily life, conjugal fidelity, temporal goods, and so forth, be taken away from him unjustly.

So it's true that those who love their neighbor have fulfilled the law, in the sense that 38
the law as elucidated ought to be obeyed, but not in the sense that love of neighbor is derived from the first principles of the natural law.

And, similarly, all the law—as far as the second table goes—and the prophets do hang 39
on the precept "You shall love your neighbor as yourself," if we understand that precept not as it follows from the first practical principle of the natural law, but as the Lawgiver intends for that precept to be upheld, as he has elucidated it in the precepts of the second table.

II. Replies to the preliminary arguments

In reply to the preliminary arguments: 40

The first [nn. 2–4] supports my view, since it proves that a precept of the second table does not belong to the natural law in the strict sense.

To the second argument [n. 5] I say that even if the conclusion "God exists" could be 41
derived by natural reason from principles known per se, those unsophisticated people, unaccustomed to disciplined thinking in speculative matters, could not have known it unless it was revealed in the law. That's why the Apostle says in Hebrews 11:6, "Those who approach God must believe"—meaning, if they do not or cannot have any other knowledge of God. And in that same way, even supposing that it's possible [in principle] to reach the conclusion that some coveting is contrary to the natural law, corrupt human beings would not have known that such coveting is contrary to the natural law; for that reason it was necessary for that fact to be set forth explicitly in a revealed law. Alternatively, coveting is prohibited by precepts of the second table, and I have granted that those precepts are not known per se.

To the other argument [n. 6], I say that these precepts have been observed, and ought 42
to be observed, in every state. Certainly in heaven there will be the utmost observance of these precepts, both affirmative and negative, with the one possible exception of "Honor your parents"—not that the will to honor one's parents will be absent in heaven, but that there will be no need to put that will into action, at least as far as honoring them is expressed by supporting them in what they need, since in heaven no one will need any help. And in the state of innocence these precepts were binding for everyone, since they were written inwardly on each person's heart—or perhaps through some teaching given outwardly by God these precepts were passed down from one generation to the next, even though they weren't written in any book (nor did they need to be, since they could easily be held in memory, and the people of

those days were longer-lived and had better natural capacities than the people of more recent times, when the people's weakness made it necessary for the law to be revealed and written down).

43 But as for the example given in connection with the first argument, about the children of Israel despoiling the Egyptians [n. 4], one could say that in that instance God did not give a dispensation contrary to the law or to the precept "You shall not steal," since the children of Israel did not take away anyone else's property in an unqualified sense, for two reasons. First, God was the superior owner, and he had the power to transfer ownership to them, even if the inferior owners were unwilling. (This explains why Christ did not sin when he permitted the demons to enter into the pigs, which immediately rushed into the sea:[19] he did not act unjustly in depriving the swineherd of his pigs.) Second, the children of Israel had earned such great possessions as payment for serving the Egyptians. Even though the Egyptians, being unjust, were unwilling to give them what they had earned, they could be compelled to do so by a higher judge. And since the children of Israel received their rightful possessions by the order of a higher judge, they received them licitly and justly.

44 As for the argument from the *Decretum* for the affirmative [n. 7], this passage should be understood as referring to the natural law in the broad sense, and thus as including the precepts of the second table.

[19] Matthew 8:31–2, Mark 5:12–13, Luke 8:32–3.

33

Ordinatio III, d. 38, q. un.

"Is every lie a sin?"

Concerning distinction 38 I ask whether every lie is a sin. 1

For the negative: 2

Genesis 22:5: "The boy and I will hasten as far as that place, and after we have worshiped, we will return to you." But he intended to kill the boy, because he had been commanded to do so; therefore, he intended that the boy would not be with him when he returned; so he said the opposite of what he had in his mind; therefore, he lied. And it is not plausible that he sinned when he was carrying out his obedience to God, the very obedience for which God commended him.

Moreover, this is proved by many other examples: 3

In Genesis 27:32 Jacob says that he is Esau, the firstborn, which he knew was false.

Also, in Genesis 42:16 and 44:5, 15, Joseph said to his brothers, "By the health of Pharaoh, you are spies," and yet he knew that the opposite was true. Also, when he was frightening them because of the cup found in Benjamin's sack, he said that he used that cup for divination, when in fact he was a not a diviner; for divination was forbidden to those who served the law of God.[1] 4

Moreover, Rahab lied about the spies (in Joshua [2:2–21]), as did Judith [Judith 10:11–13, 11:4–17]. Rachel, sitting on the camel's saddle in which she had hidden her father's household gods, lied when she said that the way of women was upon her [Genesis 31:19, 31–5]. The midwives also lied when they said that the Hebrew women had the art of midwifery [Exodus 1:15–21]. And it does not seem that they sinned in this, nor is it said that they sinned; for "God dealt well with them and built up their houses" [Exodus 1:20–1], and God does not repay good for evil. Therefore, etc. 5

Moreover, dissimulation in words is not a greater sin than dissimulation in deeds; for as deeds are more evident signs than words, if there is falsehood in either, falsehood in deeds seems more deserving of reproach than falsehood in words, because 6

[1] Cf. Leviticus 19:26.

falsehood in deeds misrepresents what is in someone's mind more than falsehood in words. Now a lie or dissimulation in deeds is not always reckoned sinful, as is clear in David's deed in 1 Samuel [21:10–15]; he pretended to be mad before King Achish, though he was not. And Jehu in 2 Kings [10:18–28] pretended to worship Baal, when in fact he purposed to destroy the worshipers of Baal. And he is not reproached for this dissimulation; on the contrary, he is praised [2 Kings 10:30], because of his evident zeal for God against Baal.

7 In favor of the affirmative view is Augustine, frequently, in his book *On Lying*, and additional citations of Augustine are given in the text of the *Sentences*.

8 Furthermore, here is a proof that every lie is a mortal sin: it is contrary to the commandment and law of nature, "Do not do to another what you do not want done to yourself."[2] For no one wants to be deceived by his neighbor when the neighbor ought to express to him what he is thinking. Therefore, no one should act otherwise toward another.

9 Furthermore, whatever is contrary to some necessary virtue or its act[3] is a mortal sin. And a lie fits this description, since a lie is contrary to truthfulness, which is a virtue contained under justice; for the truthful person shares with his neighbor what ought to be shared: the thought of his heart as it is. A liar, by contrast, does not share what he ought to share in speaking, but instead takes it away; for one speaks in order to express one's thought, whereas the liar does not express it, but states the opposite.

10 Furthermore, to lie is to misuse words. For as Plato says in the *Timaeus* [216b], words were instituted and imposed in order to be readily available indicators of one's will; but liars do not use words as indicators of their will, but of the opposite. Therefore, etc.[4]

11 Furthermore, the authoritative passages from Augustine in the aforementioned books, cited in the text of the *Sentences*,[5] evidently say this.

I. Reply to the question

A. Lying is a sin

12 The view everyone holds on this question is that lying is a sin.[6]

[2] Matthew 7:12, Tobit 4:16.

[3] Reading *contra aliquam virtutem necessariam vel eius actum* (Q) for the edition's *contra aliquam virtutem vel contra actum alicuius necessariae virtutis*.

[4] Richard Middleton, *Sent.* III d. 38 princ. 1 a. 1 in corp.

[5] Peter Lombard, *Sent*. III d. 38 c. 2 n. 1, c. 5 n. 3.

[6] Bonaventure, *Sent*. III d. 38 a. un. q. 2 in corp.; William of Auxerre, *Summa* III tr. 45 c. 2; Thomas Aquinas, *ST* II-II q. 110 a. 3 in corp.; Peter of Tarentaise, *Sent.* III d. 38 q. un. a. 4 in corp.; Richard Middleton, *Sent*. III d. 38 q. 2 in corp.; Henry of Ghent, *Quodl.* III q. 25 in corp.; and others.

A persuasive argument for this conclusion is found in Augustine's reasoning in *Against Lying*:[7] "It is foolish to believe someone who is permitted to lie." Now one ought to believe many people; otherwise, human social intercourse regarding the thoughts and affections of the mind will be destroyed. So those whom one ought to believe are not permitted to lie. 13

But different people offer different reasons for why this is so: 14

Some[8] say that lying is necessarily a sin because it necessarily turns one away from God, who is truth, and a lie is contrary to truth.

But against this is the fact that a lie is not opposed immediately to the first Truth, but rather to the truth of some particular thing about which the liar is speaking. So just as badness opposed to some particular created good does not necessarily turn someone away from the first uncreated Good, neither does falsity opposed to any truth unconnected with the first Truth [necessarily] turn someone away from the first Truth.[9] 15

Another approach[10] is to say that an act is called good or bad in the genus of morals in virtue of its object, and the genus is taken from what is in potentiality, so the genus itself is in potentiality with respect to difference. Now the first difference by which an act is constituted in the genus of morals, so that it can be further determined by circumstances as by differences, is the object. For beyond the goodness of nature that an act has in virtue of its quiddity, the first feature that determines it so that it is quasi-potentially and materially moral is the object. In reference to our present concerns, it is said that an act that is bad in virtue of its genus can never be good, because no additional circumstance can remove the badness that the act has per se in virtue of its object, since every other circumstance presupposes the object. And lying is an act that is bad in virtue of its genus, because it issues forth on matter that is unsuitable to the act. For suitable matter for an act of speaking ought to be what is true or what is believed to be true;[11] in a lie there is the opposite matter. 16

Against this: 17

What one believes to be entirely false is no more inappropriate or illicit matter for speech than a human being who is innocent and useful to the commonwealth is illicit

[7] Actually *On Lying* 8.11.

[8] William of Auxerre, *Summa* III tr. 45 c. 3 ad 3.

[9] Reading *nec falsitas opposita cuicumque veritati impertinenti primae Veritati avertit a prima Veritate* (with Q, except that Q mistakenly has *virtuti* for *veritati*). There is no sense to be made of the edition's *nec falsitas—opposita cuilibet veritati (in particulari, primae Veritati)—avertit a prima Veritate*; but drop the heavy-handed punctuation and *primae Veritati* (which does not appear in A), and the resulting text does not differ appreciably in meaning from mine: "neither does falsity opposed to some particular truth turn someone away from the first Truth."

[10] Thomas Aquinas, *ST* I-II q. 18 a. 2 in corp., a. 3 in corp., II-II q. 110 a. 1 in corp.

[11] Punctuating *debet esse verum vel creditum esse verum; in mendacio est materia opposita* instead of the edition's *debet esse 'verum' vel 'creditum', esse verum in mendacio est materia opposita.*

matter for killing. But with these conditions on the part of the matter (that is, the human being) remaining intact, it can become licit to kill such a human being, for example, if God revoked the commandment "You shall not kill"[12] (as was said in the previous question [d. 37 n. 13])—and not merely licit, but meritorious, for example, if God commanded someone to kill, as he commanded Abraham concerning Isaac.[13] Therefore, by topical reasoning from the similar or from the lesser,[14] it can become licit to make an utterance believed to be false if the commandment not to deceive one's neighbor (a commandment that evidently exists) is revoked, since the commandment not to deceive is no more binding than the commandment not to kill. For it is less bad to take true opinion away from one's neighbor, or to be the occasion of generating false opinion in him, than to take away his bodily life. Indeed, there is scarcely a comparison.

18 This is confirmed, because if lying necessarily has badness because it issues forth on such matter, then lying is not forbidden by a precept of the second table, because the prohibitions in the second table exclusively concern things that are bad for one's neighbors; but according to you lying is not bad just because it harms one's neighbor, for if it were (as I have argued) it would be less bad than killing, and thus it would be possible for lying, like killing, to lack the character of evil—more possible for lying, in fact.[15] Therefore, lying would be contrary to a commandment of the first table—which does not seem probable, since it does not turn one away from God immediately, just as the opposite act does not have God as its object immediately when one is speaking of some indifferent truth.

19 Furthermore, if someone uttering the sentence "He is running" were deceived and believed that it was true, that act of speaking would issue forth on the same matter as it would if he were not deceived and believed it was false. Now if he is deceived and believes that what he says is true, he does not sin. Therefore, there is no badness in that act in virtue of the object on which it issues forth.

20 According to a third approach,[16] lying by its very definition implies a bad intention, since it implies the intention to deceive. So although some acts that do not include a bad intention can sometimes be good in virtue of some good circumstance, an act that includes a bad intention can never be good, because it formally includes a bad will; and such is the case here.

21 This can be expounded as meaning that although a positive act and its badness are not something per se one either in reality or conceptually, a name can be imposed that does not signify only the act or only its deformity, but both together.

[12] Exodus 20:13. [13] Genesis 22:2.
[14] See Peter of Spain, *Tractatus* tr. 5 nn. 32–3.
[15] Reading *immo possibilius* (Q) for the edition's *vel possibilius*.
[16] Bonaventure, *Sent*. III d. 38 a. un. q. 1 in corp., q. 2 in corp.

For example, the name 'adultery' was imposed to signify not only the natural act of intercourse but also its deformity, the fact that it is intercourse with someone who belongs to another. And the name 'theft' was imposed not merely to signify the taking of a thing, but to signify the appropriation of someone else's property against his will and the will of any superior owner. Such wholes as are implied by such names cannot, it seems, be good, though the underlying act (for example, the act of sexual intercourse or of taking such a thing) can exist without such deformity. So in the present case, although the utterance of such-and-such words, with such-and-such a meaning,[17] can exist without sin, the utterance of those words with knowledge that the opposite is true, and consequently with the intention to deceive, cannot exist without sin, because it includes the underlying act along with the circumstances that necessarily deform the act.[18] The assumption is evident, since Christ uttered the words "I do not know him" and "I will be a liar like you,"[19] but not by way of assertion; and a Greek could utter any Latin words whatsoever, however false, without sin.

B. What sort of sin a lie is

1. THE THREE SPECIES OF LIES

Second, we need to see what kind of sin a lie is. And although there are a number of 22
different ways to distinguish lies, for our present purposes a three-fold distinction will suffice: the destructive lie, the serviceable lie, and the humorous lie.

A destructive lie is one that is intrinsically harmful, or actually does harm, to the 23
person to whom or about whom I lie. And if it harms him with respect to the Christian religion, for example, as to faith or morals, then[20] it is a mortal sin; but if it harms him by taking away his bodily life or marital fidelity or his offspring or other people connected with him in some way, or other temporal goods, then the lie is more or less serious in proportion to the harm done by taking away that good. And without exception every such lie told deliberately is a mortal sin,[21] for it is prohibited without qualification by the commandment, "You shall not speak false testimony against your neighbor" [Exodus 20:16]. For testimony is not limited to what is given in court; it is whenever someone firmly and deliberately asserts something that he

[17] *quorumcumque significatorum*, omitting (with BYQ) *vel nonsignificatorum*, which follows in the edition.

[18] The edition, following A alone, adds "accompany or" (*concomitantibus vel*) before "deform" (*deformantibus*). But the circumstances in question do *not* necessarily accompany the underlying act—Scotus has just argued for that, and the point is obvious in any case—and the disjunction makes the whole phrase even more mysterious.

[19] John 8:55: "If I say, 'I do not know him [sc. the Father],' I will be a liar like you."

[20] Reading *tunc* for the edition's *etc.* (AS).

[21] Reading *Et universaliter omne tale mendacium ex deliberatione dictum est peccatum mortale* for the edition's *Et universaliter omne tale mendacium, quo ex deliberatione asseritur quod ignoratur vel cuius novit oppositum, est peccatum mortale* (A, more or less).

does not know to be true, or that is the opposite of what he knows to be true. Therefore, anyone who, with the intention of deceiving someone to whom he speaks,[22] says the opposite of what he knows to be true, and by speaking thus harms the person to whom he speaks or the one about whom he speaks, speaks false testimony against his neighbor. As for whether lack of deliberation excuses, that will be dealt with in the following question, on perjury.

24 A serviceable lie is one that is useful to someone and harms no one.

25 A humorous lie is telling stories that all the listeners know are not true and that are not told as true: for the listeners are not deceived and the speaker does not intend to deceive, nor is what he says intrinsically deceptive, since it is not the sort of thing that the listeners are apt to believe, but rather they recognize that it is said without any expectation that anyone will take it to be true. Similarly, it is a humorous lie when someone intends to deceive in a humorous way, such that the person is genuinely deceived but not seriously harmed in any way and those who know that he is deceived also find the humor in it. And finally, there can be a humorous lie of the sort Augustine ascribes to Joseph,[23] who genuinely willed to deceive his brothers when he said "You are spies," etc. [n. 4], and yet he, who knew the truth, was able to find humor in their deception and in the fear that their false belief inspired; and the others who were in the know—and eventually the brothers themselves, when they realized that he had not been speaking seriously—were able to find the humor in it.

2. THE VIEWS OF OTHERS

26 The consensus view[24] is that the latter two—serviceable and humorous lies—are not mortal sins in imperfect men,[25] since neither is contrary to charity or contrary to anything that is of itself necessarily required for the status of those persons.

27 But some say[26] that both are mortal sins in perfect men, because they undermine their authority and credibility and thereby cheapen their status; they also harm those who hear them because of the scandal.

28 An argument is given against this[27]: no circumstance brings it about that what is venial in one person is mortal in another, unless one person is necessarily obligated to something to which the other is not. Now a perfect person has not obligated himself

[22] Following BQ in omitting *vel de quo loquitur* ("or the one about whom he speaks"), which makes sense when it appears later in the sentence but is clearly out of place here.

[23] Augustine, *Contra mendacium* 10.24.

[24] Augustine, *Enarrat. in Psalmos* ps. 5 n. 7; William of Auxerre, *Summa* III tr. 45 c. 2; Richard Fishacre, *Sent.* III d. 38 q. 4 in corp., q. 9 in corp.; Alexander of Hales, *ST* II-II n. 402 in corp., III n. 390 in corp.; Bonaventure, *Sent.* III d. 38 a. un. q. 4 in corp.; Thomas Aquinas, *Sent.* III d. 38 q. un. a. 4 ad 4, *ST* II-II q. 110 a. 4 ad 5; Richard Middleton, *Sent.* III d. 38 q. 3 in corp., q. 4 ad 3–4 in opp.; and others.

[25] *viris*, oddly, not *hominibus* (as again in the next sentence).

[26] Alexander of Hales, *ST* II-II n. 403 in corp.; Bonaventure, *Sent.* III d. 38 a. un. q. 4 in corp.

[27] Thomas Aquinas, *ST* II-II q. 110 a. 4 ad 5.

to uphold truth in his words by any vow or oath, any more than any other Christian has; therefore, because the person has no special obligation, the circumstance of the person does not convert a venial sin into a mortal sin.

3. SCOTUS'S VIEW

Here we can make a distinction: some perfect persons (such as prelates) are in a state 29
of exercising perfection, others (such as religious) are in a state of acquiring perfection.[28]

a. Persons in the state of exercising perfection Regarding those who are in a state of 30
exercising perfection, it can be conceded that in carrying out the acts that pertain to them in virtue of such a state of perfection (such as teaching, judging, and preaching) both serviceable and humorous lies would be a mortal sin for them, because the authority and usefulness of the doctrine that they preach would be destroyed. As Augustine says in his three letters to Jerome, "If any lies, however humorous, were allowed into the holy Scriptures, nothing solid would remain in them."[29] For example, if a prelate were to mix in a humorous lie in his preaching, nothing solid would remain in that teaching: for anyone could doubt anything he said, just as one could doubt anyone else, or on whatever grounds one would not assent to that humorous lie, one could on those grounds withhold assent from anything else he said. And in this way the doctors of the Church would lose all authority in their teaching, and its usefulness for their listeners would be destroyed. Much the same considerations hold for solemn judgment or solemn teaching. Here I'm thinking of a situation in which no one recognizes that the lie is separate from the act of judging or teaching—it is, after all, possible for someone sitting in judgment to mix in some jest that everyone can tell, from his way of speaking, is not part of his judgment.

But in fact it seems that a single humorous or serviceable lie would not undermine 31
the authority of a judge or teacher, but only telling such lies repeatedly or making a habit of telling them. But then according to the juridical principle that "two acts establish a habit,"[30] it follows that the second act is a mortal sin and the first one isn't, even though (evidently) the second act is exactly like the first in terms of all its circumstances.

Whatever might be the case for one or more such lies in teaching and judging, in 32
other acts, at any rate, such lies would not be mortal sins for them except by reason of scandal.

[28] Cf. Henry of Ghent, *Quodl.* II q. 14 in corp., VII q. 30 in corp.
[29] Cf. Augustine, *Epist. 28 ad Hieronymum* 3.3–4, *Epist. 40 ad Hieronymum* 3.3, *Epist. 82 ad Hieronymum* 2.21.
[30] *Decretales Gregorii IX cum glossis* I tit. 6 c. 34, gloss.

33 *b. Persons in the state of acquiring perfection* But we clearly have to say something different about someone who has the status of acquiring, rather than exercising, perfection, because such a person does not appear to be more obligated to acts of perfection than anyone else, except for those acts that he has vowed to undertake. For he has not undertaken the duty of pastoral care, and so neither has he undertaken to perform any act of pastoral care; so if such a person does not carry out a work of perfection such as teaching, preaching, or something else of that sort, he evidently is not sinning mortally in telling a serviceable or humorous lie any more than another Christian would be, except perhaps on account of scandal, because the imperfect could be more scandalized by a lie told by such a person than by a lie told by just anyone.

34 But one cannot judge the quality of acts on the basis of scandal that does or does not result from them.[31] For according to the Gospel law scandalizing the weak is to be avoided in all cases, as we read in Matthew [18:7]: "Woe to the one by whom the scandal comes." But there is no requirement to avoid things not intended as scandalous that nonetheless scandalized the Pharisees,[32] as we learn from the Savior's words in Matthew [15:12–14]. When the disciples said that "the Pharisees were scandalized when they heard what you said," Christ replied, "Let them be; they are blind, and guides of the blind." So both acts that are indifferent in themselves, such as eating meat (about which the Apostle says in 1 Corinthians 8:13, "If my brother will be scandalized, I will never eat meat again"), and acts that have some sort of venial badness but are apt to occasion or cause scandal to weak people who are present, should be avoided on account of scandal; but we cannot on this basis judge the quality that characterizes the act[33] by its very nature.

35 So as far as the nature of a humorous or serviceable lie in cases of the second sort[34] is concerned, it does not seem that such a person is obligated by his profession to avoid such a lie for any other reason, or with any greater strictness in the commandment, than any other Christian. Nonetheless, if right reason should dictate that a single act or repeated acts on his part would scandalize his hearers, when a similar act on someone else's part would not be scandalous, he is bound by charity toward his neighbor[35] to avoid the scandal, in much the way that a pastor is sometimes bound

[31] "does or does not result from them": reading *consequente vel non consequente* (Q) for the edition's *concomitante vel non concomitante*, "does or does not accompany them."

[32] More literally: scandals not given to but received by the Pharisees.

[33] Reading *factum* (all but AS) for the edition's *peccatum* ("sin"). Since Scotus is arguing that the act may well not *be* a sin, scandal or no, the edition is obviously wrong.

[34] "in cases of the second sort" = *in factis secundo modo dictis*. The edition instructs us to understand this phrase as referring to acts where there is no accompanying scandal, but it seems more plausible to read it as referring to the potentially but not intrinsically scandalous acts described in the previous paragraph, performed by those in the state of acquiring (rather than exercising) perfection.

[35] "charity toward his neighbor": reading *caritate proximi* with most MSS against the edition's *caritate vel salute proximi*.

not to flee in a time of persecution,[36] in accordance with what is said in John [10:12–13], "The hireling, who is not a shepherd (*pastor*), sees the wolf approaching and flees." Augustine has an excellent discussion of this in a letter [*Epist. 228, ad Honoratum*]; see Henry, *Quodlibet* XV, q. 16. By contrast, someone else who is in the state of acquiring perfection and is not a pastor is not bound of necessity not to flee if he can do otherwise, though he is bound not to scandalize his neighbor in fleeing, and sometimes his fleeing would be scandalous when a weak person's would not be: for from the fact that he, who had chosen "the narrow way" [Matthew 7:14], did not risk his life to defend the faith, his neighbors would judge that one should not risk one's life for such a cause, or that such a person did not have proper regard for the faith.

II. Replies to the preliminary arguments

As to the arguments concerning this question: 36

To the first [n. 2] I say that Abraham was not speaking contrary to what he had in his mind, for as Josephus recounts in his book *Antiquities*, when Abraham was walking alone with his son, having left the servants behind, he told his son about how he had been miraculously conceived and how, if he were sacrificed, God would miraculously revive him; and it is believed that Abraham firmly expected this to happen, since he did not doubt God's promise that "in Isaac will your seed be named" [Genesis 21:12]. So although Abraham did intend to sacrifice Isaac, he nonetheless believed[37] that God would miraculously revive him and he would return with him to the servants. So when he said, "We will return to you," he was speaking in accordance with what he believed in his heart. And one should not lightly ascribe any lie to Abraham, whose life was very exemplary.

As for the argument about Jacob [n. 3], although some writers[38] labor mightily to clear him and other fathers of the Old Testament of having lied—even though in other passages[39] they acknowledge that the fathers had an imperfect law and a modest amount of grace, whereas we have a perfect law and abundant grace, and they do not deny that we sometimes lie or have lied[40]—it does not seem terribly reasonable to deny that they sometimes lied or could lie. And if that's the case, then even if we praise their good deeds and take them as an example, we do not take their bad 37

[36] "a pastor is sometimes bound not to flee in a time of persecution": reading *tempore persecutionis tenetur pastor non fugere quandoque* for the edition's *in articulo illo de fuga in tempore passionis pastor tenetur quandoque non fugere*.

[37] "believed" (Q); BNY have "understood", the edition "intended."

[38] Alexander of Hales, *ST* II-II nn. 404, 405, 406 in corp., III n. 390 ad argg. in opp.; William of Auxerre, *Summa* III tr. 45 c. 4 qq. 1–4; Bonaventure, *Sent* III d. 38 a. un. q. 2 ad 1–3 in opp.; Thomas Aquinas, *ST* II-II q. 110 a. 3 ad 3, a. 4 ad 4; Richard Middleton, *Sent*. III d. 38 q. 3 ad 2–3; and others.

[39] Alexander of Hales, *ST* III n. 269, 270, 273 in corp.; Bonaventure, *Sent* III d. 40 a. un. q. 1 in corp., qq. 2, 3 in corp.; Thomas Aquinas, *Sent* III d. 40 q. 1 a. 2 in corp., a. 3 in corp., a. 4 qc. 3 in corp.

[40] Alexander of Hales, *ST* II-II nn. 407–8, III n. 390 in corp.; William of Auxerre, *Summa* III tr. 52 c. 6; Bonaventure, *Sent*. III d. 38 a. un. q. 4 and ad 4.

deeds as an example or obstinately defend or excuse them. It is said,[41] to be sure, that such statements of theirs can be understood figuratively or by means of interpretations other than what the words straightforwardly express, but we need not waste our time with such interpretations.

38 But in reply to the argument about Joseph [n. 4], since he upheld the divine law perfectly [cf. Genesis 39:2–23], it can be said that his lie against his brothers was nothing but a humorous lie, as is evident from the outcome: for in the end he revealed the truth to them [Genesis 45:1–4], and in the meantime, while he was frightening them, he punished them as they deserved to be punished [cf. Genesis 42:9–44:34]. For their treachery in selling their brother into slavery in Egypt amply deserved to be punished not merely by such fear but even by a greater punishment.

39 As for the other arguments:

There is no need to excuse Rahab and the midwives and Rachel [n. 5], and their deeds are not commended in Scripture as far as their lying is concerned. Rather, what is commended is Rahab's foresight in looking after herself and those who belonged to her and securing their safety [Joshua 6:25].

40 As for the argument about the midwives—that "God built up their houses" [n. 5]—there are various views, as the Master of the Histories recounts in his commentary on that passage.[42] And perhaps a fairly probable view is that they had a good movement of piety, and God rewarded them for that temporally, because the associated sin earned demerit, such that they would not be rewarded eternally. But it can be said with greater probability that that was a serviceable lie, because it was useful for saving the children of the Jews and it harmed no one, and so God rewarded them for the good movement of their wills; and yet he did not deny them eternal life because of that sin, which in them was venial.

41 But in this connection one might wonder: should one sometimes choose such a lie or venial sin along with a great movement of piety, or should one always avoid both? The fact that a venial sin is in no way to be chosen seems to argue in favor of the latter. But there is evidently an argument in favor of the former as well: a venial sin will be erased in one way or another[43] (either in this life or in the next), whereas a great movement of piety, which has great merit, merits some degree of reward that will

[41] Alexander of Hales, *ST* II-II n. 404 in corp.; Bonaventure, *Sent.* III d. 38 a. un. q. 2 ad 2; Richard Middleton, *Sent.* III d. 38 q. 3 ad 1; Thomas Aquinas, *Summa* II-II q. 110 a. 3 ad 3.

[42] Peter Comestor, *Historia scholastica* in Ex. c. 3: "Augustine says that the midwives sinned venially. Gregory apparently claims that they sinned mortally, for he says that the reward for their kindness could have been rendered to them in eternal life, but it was diverted into earthly compensation because of the guilt of their lie." Cf. Augustine, *Quaest. in Heptateuchum* II q. 1, *De mendacio* c. 5 n. 7, c. 17 n. 34; Gregory, *Moral.* XVIII c. 3 n. 6.

[43] Reading *delebitur qualitercumque* (NYQ) for the edition's *delebitur in tempore et non manebit in aeternum.*

be eternal.[44] And it does not seem that in order to avoid an evil that is of itself temporal,[45] one should forgo something that of itself is a cause[46] of an eternal good. I take no stand on this question.

Now about the midwives, it can be said that they sinned only venially, because their 42
lie was entirely serviceable. And the movement of piety, assuming that the other requirements for merit were met, had great merit, so that they merited eternal life and temporal goods as well, since in those days God rewarded his worshipers with temporal goods.

One approach[47] to the argument about Judith is to say that she was not lying in any 43
way, because she intended to direct the excessive words that she said to Holofernes not to him, but to God. Now she was not necessarily bound to speak outwardly in the way that her listener intended; rather, she could speak according to her own intention as speaker. Nonetheless, it is said that in speaking to a prelate, to whom one is bound to reply in good faith, one should reply according to the intention of the one asking the question; thus, if in such a case one were to reply using words that would be false if they were directed to the hearer[48] but true if they were directed to God, one is not speaking truthfully, because in this case one is not permitted to address God.

But if this view were right, nothing in human speech would appear certain, and 44
evidently no one could possess certainty about anything his neighbor says. At any rate, evidently no one would be lying when speaking in the second person, no matter what he said, as long as he could make it true by directing it to God. Now if I am bound to tell you, but not some third party, the truth, then I could be disobedient by not telling you the truth, whereas I will not be disobedient by not telling that third party the truth. But it is not clear how I would be *lying* to you any more than to him.[49]

So if the words she said, which appear to be excessive, cannot be saved in any other 45
way, there does not seem to be anything untoward in conceding that she lied: serviceably for her own people, but harmfully for the one whose death she intended. But the serviceableness outweighs the harmfulness, since the good of the commonwealth (especially one that worships God) outweighs the temporal good of a private person (especially an unbeliever). Nor is it any objection that in warring against anyone one ought to safeguard the faith—so much so that any unfaithfulness or lie on the part of any Christian (even in a war against an unbeliever) is damned—although one is

[44] Reading *meretur aliquem gradum praemii qui erit aeternus* (BNYQ, with some variants) for the edition's *meretur magnum praemium quia aeternum, vel saltem aliquem gradum praemii qui erit aeternus.*
[45] Reading *quod est ex se temporale* (NYQ) for the edition's *quod non est ex se aeternum sed temporale.*
[46] The edition adds *aliquo modo* ("in some way"), which BNYQ omit.
[47] The editors were not able to identify the source of this view.
[48] Reading *audientem* (PBQ) for the edition's *intentionem vel auctoritatem* (A).
[49] The last two sentences read with the majority of MSS against the edition.

allowed to use certain precautions of war that do not of themselves conflict with the truth or include a lie.

46 And if Judith arrayed herself with the intention of captivating Holofernes by her appearance, and thereby willed that he sin mortally with her, and to will that another sin mortally is to sin mortally oneself, then it does not appear altogether certain that she kept herself free from all mortal sin. And thus her deed is recounted in Scripture and retold by the Church as something praiseworthy in certain respects in which it exemplified true piety, but there are other aspects of what she did that are neither praiseworthy nor permissible.

47 In reply to the last argument, concerning dissimulation [n. 6], I say that someone can dissimulate through certain persuasive signs,[50] by indicating that one possesses certain goods that one actually lacks (for example, through genuflections and gestures of worship someone might portray a devoutness that he does not actually possess). Such dissimulation is hypocrisy and a mortal sin.

48 Or someone might pretend that he does not possess certain bad features, either by giving indications opposed to those bad features or by not giving the indications that typically go along with such bad features. The first of these evidently belongs to hypocrisy. For example, a lustful man, hearing talk about women, might spit as a sign of his solemn devotion to chastity, though in his heart he feels exactly the opposite. The second is not something bad:[51] indeed, so far as it can exist in a bad person, it's praiseworthy, since it is blameworthy to proclaim one's sin in the way that some are said to have done: "Like Sodom they proclaimed their sin and did not keep silent."[52] For though what exists inwardly, in the heart, is bad, to add a sign outwardly is to add one bad thing to another.

49 Now in indifferent things someone can do certain acts that by their nature are signs of something, and someone else can do other acts that are not signs by their very nature but that he knows will be taken as signs by those who are present. For example, by its nature sweating is a sign of exhaustion or of some bodily weakness; whereas drooling, so that saliva runs down one's beard, is not by its nature a sign of madness (for someone in his right mind can produce saliva so that it runs down his beard). Yet someone can know that those who are near him will take his drooling as a sign of insanity or madness (say, because those are the typical marks of insanity in that region).

50 So I say that dissimulations of the first and second sort are, without exception, sins; and I say that frequently they are mortal sins, because they are instances of hypocrisy.

[50] Reading *signa probabilia* (Q) for the edition's *argumenta probabilia*.
[51] Reading *non est malum aliquod*. The edition adds *reprehensibile*, which it conjectures from AN's *respective*; I follow the other MSS in leaving the word out altogether.
[52] Isaiah 3:9. Cf. Thomas Aquinas, *ST* II-II q. 111 a. 1 arg. 4, ad 4.

The third sort of dissimulation is praiseworthy so long as it is not accompanied by some other evil—so that one refrains from showing one bad thing for the sake of some other bad thing. The first sort of dissimulation in indifferent things might perhaps be bad in certain people, though not because of the matter: for example, if someone could make himself sweat even though he had done no labor (as certain jesters use their bodies for certain movements that signify dispositions that are not present in them and did not previously exist in them). The second sort of dissimulation in indifferent things is no sin.

And David's dissimulation [n. 6] was of this last kind. There's no need to excuse 51
Jehu's dissimulation, because to the dissimulation that could perhaps be excused he added a lie: "I have a great sacrifice for Baal" [2 Kings 10:19]. Though he intended this lie to be a serviceable one because it would help destroy the worship of Baal, yet by its nature it was a harmful lie: not only because it procured the death of others but because, so far as it could, it invited people to the worship of Baal. And although Jehu is commended [2 Kings 10:30] because he destroyed and persecuted the worship of Baal, he is reproached [2 Kings 10:29, 31] because he did not abandon Jeroboam's calves and was not a true worshiper of the God of Israel.

34

Ordinatio IV, d. 15, q. 2, nn. 78–101

The origin of private property

78 Here there are four things that need to be examined: first, what the source of private property is, such that this is called mine and that yours, since this is the basis for any injustice in appropriating someone else's property and consequently of any justice in restoring it; second, how ownership, once it has become private, can be justly transferred; third, from this it will be evident what constitutes unjust possession of someone else's property or, in other words, harm to another with respect to temporal property; and fourth, in what way someone is bound to restore someone else's property.[1]

I. What is the source of private property?

A. First conclusion

79 Concerning the first topic, the first conclusion is this: According to the natural law or the divine law there was no private property in the state of innocence; rather, at that time all things were common.

80 This is proved from the words of the *Decretum*, part 1, distinction 8, chapter 1: "By the natural law all things are common to all." Cited in support of this is Augustine, *Tractates on the Gospel of John*, tractate 6, n. 25: "By what law do you claim the estates of the Church? By divine law or by human law? We have divine law in the divine Scripture, human law in the laws of the king. From what source does each person possess what he possesses? Is it not by human will?[2] For by divine law *The earth is the Lord's, and the fullness thereof.*[3,4] Therefore, it is by human law that one says, 'This house is mine,' 'This estate is mine,' 'This slave is mine.' " And in the same passage he

[1] Only the discussion of the first topic is included here.

[2] Reading *humana voluntate* (PZNQ) for the edition's *iure humano*, "human law" (A).

[3] Psalm 23:1.

[4] The edition adds *Pauperes et divites nonne humana voluntate una terra portat?,* "Does not one and the same earth by human will sustain both poor and rich?" (A)—a garbling of Augustine's words: "God made poor and rich of one clay, and one earth sustains poor and rich." PNQ omit the sentence altogether; Z leaves only "One earth sustains poor and rich."

says, "Take away the emperor's law, and who dares to say, 'This estate is mine'?" And a bit later, "It is through the king's laws that possessions are owned." And in 12, question 1, *Dilectissimis*, "The use of all the things there are in this world ought to be common to all."[5]

There is a twofold reason for this: 81

First, according to right reason the use of things ought to belong to human beings in a way that conduces to peaceful dealings in society and to meeting people's needs. And in the state of innocence having the use of things in common was more efficacious for these purposes than private property, since at that time no one would have laid claim to what someone else needed, and it would not have been necessary for anyone to wrest what he needed from another by violence. Rather, each person would claim whatever he came across first for his own need.

Also, in that way there would have been a greater abundance to meet everyone's 82
needs than if one person's use of something were forestalled because someone else had appropriated that thing for himself.

B. Second conclusion

The second conclusion is that this precept of the natural law about having all things 83
in common was revoked after the fall.

And rationally so, on account of the same two considerations: 84

First, because having all things in common would be contrary to peaceful dealings in society, since a wicked and covetous person would lay claim to more than was needful for him—and indeed would do so by doing violence to others who would want to share with him in using those common goods to meet their own needs, as we read of Nimrod, who "was a mighty hunter before the Lord,"[6] that is, one who oppressed human beings.

Also, it would be contrary to meeting people's needs, since stronger fighters would 85
deprive others of what they needed.

And for this reason the polity of Aristotle in *Politics* II (1260b27–1261b15), in which 86
all things are not common, is much better—in that it is better suited to the state in which Aristotle found human beings—than that of Socrates (which Aristotle criticizes), in which all things are common.

C. Third conclusion

The third conclusion is that upon the revocation of the precept of the natural law about 87
having all things in common, and consequently upon the granting of permission to

[5] Gratian, *Decretum* pars 2 causa 12 q. 1 c. 2. [6] Genesis 10:9.

appropriate and make private what had up to that point been in common, nothing was actually made private, either by the natural law or by divine law.

88 That nothing was made private by divine law is proved by the passage of Augustine quoted above, "By what law," etc. [n. 80].

89 That nothing was made private by the natural law seems probable because it does not seem that the natural law determines to opposites, and in the state of innocence[7] it determined that all things were to be held in common.

90 Someone might perhaps say that the proposition in the *Institutions*, "On the distinction of property,"[8] *Ferae, bestiae*—"What belongs to no one is granted to the one who has it in his possession"[9]—belongs to the natural law. But even granting that this proposition[10] should occur to one as probable and obvious as soon as one had apprehended naturally that things are to be made private, it is still more reasonable to say that it does not belong to the natural law, but rather to positive law. From this it follows that the first division of goods into private property was made by some positive law.

D. Fourth conclusion

91 Therefore, we need to see how such a positive law can be just, so that this division can be just.

92 Let this, then, be the fourth conclusion: a just positive law requires prudence and authority in the legislator: prudence, so that he dictates in accordance with right reason what ought to be instituted for the community; and authority, because 'law' is said from 'binding' (*lex dicitur a ligando*), and a judgment on the part of a prudent man does not bind either the community or an individual if the prudent man is not in charge of anyone.[11]

E. Fifth conclusion

93 Now it is clear enough how one can have prudence for thinking up just laws. But as for how there can be just authority, which is required along with prudence for a just law, that brings us to our fifth conclusion: there are two kinds of rulership or authority, paternal and political, and two kinds of political authority, in one person and in the community.

[7] "in the state of innocence" represents *in natura humana*—literally, "in human nature," but the sense is clearly "in the state of human nature as originally created."

[8] *Iustiniani Institutiones* II c. 1 n. 12.

[9] Reading *Quod nullius est occupanti conceditur* (PZNQ) for the edition's *Quod nullius est in bonis, occupanti conceditur* (A).

[10] "this proposition" is simply *illa*, "this." A note in the edition instructs us to read it as "this natural law," but Scotus cannot be saying that "this natural law . . . does not belong to the natural law."

[11] Reading *si nulli praesideat* (PZN) for the edition's *si nullus praesideat* (A), "if no one is in charge."

The first, paternal authority, is just in virtue of the natural law, by which all sons and daughters are bound to obey their parents. Nor has this been revoked by any positive law, either of Moses or of the Gospel; rather, it has been confirmed. 94

By contrast, political authority, which is over persons not of one's own household, whether such authority resides in one person or in the community, can be just in virtue of common consent and the choice of the community itself. 95

Paternal authority has to do with natural descent, even if [the members of the family are] not living together in civil society. 96

Political authority has to do with those who live together, no matter if they are not connected with one another by any kinship or closeness. For example, if certain unrelated persons should come together to build a city and dwell in it, and they see that they cannot be well-governed without some authority, they could agree among themselves to entrust the community either to one person or to the community itself—and if to one person, then either to him alone (and then his successor would be chosen in the same way that he was) or to him and all his heirs. And both kinds of political authority are just, because someone can justly submit himself either to one person or to the community in things that are not contrary to the law of God and in which he can be better directed by the one to whom he submits than he can by himself. 97

So we have a complete account of how a just positive law could be established: by someone who has prudence either in himself or in his counselors and, along with this, has just authority in one of the ways discussed in this conclusion. 98

F. Sixth conclusion

From these claims follows a sixth conclusion: the first division of property to various owners could be just in virtue of a just positive law, whether established by a father or by a ruler exercising rule justly or by a community making rules and governing itself justly. 99

And this is how it likely came about. After the flood, either Noah divided the lands among his sons, and each was to possess his own land either for himself or for his children and heirs, or else they agreed among themselves to divide the lands, as we read about Abraham and Lot in Genesis 13:8–9. For Abraham let Lot choose which part he wanted, and Abraham took what was left. 100

Alternatively, a law was promulgated by the father, or by someone chosen by them as ruler, or [by someone chosen] by the community, to whom the community itself entrusted that authority. This law was, or could have been, that things not in anyone's possession at that time would belong to whoever first took possession of them; and then afterward they scattered over the face of the earth, and one person took possession of one tract of land and another took possession of another. 101

35

Ordinatio IV, d. 17, q. un., nn. 1–2, 17–33

Sacramental confession and the natural law

1 "Here the question arises," etc.[1]

2 Concerning distinction 17, I ask whether it is necessary for a sinner's salvation that he confess all his sins to a priest.

I. Reply to the question

17 In this question there are three things that need to be investigated: (1) by what precept is a Christian required to confess to a priest a sin he has committed? (2) what does the precept about confession include? (3) what about that precept of the Church requires further explanation?

A. By what precept is a Christian required to confess to a priest a sin he has committed?

1. OF NATURAL LAW AND POSITIVE DIVINE OR ECCLESIASTICAL LAW

18 As to the first question, we cannot find any precept by which someone is required to make a confession other than (a) a precept of natural law or (b) a precept of positive law, either (b1) divine or (b2) ecclesiastical.

19 Now a practical truth that belongs to the natural law is one whose truth is known from its terms (and in that case it is a principle in the natural law, just as in speculative matters a principle is known from its terms) or[2] one that follows manifestly from such a truth known in such a way (and this sort of truth is a demonstrated practical conclusion). Strictly speaking, nothing belongs to the natural law other than a principle or a demonstrated conclusion. But in an extended sense, a practical truth that is consonant with the principles and conclusions of the natural

[1] Lombard, *Sent.* IV d. 17 c. 1 n. 1.
[2] Reading *vel* (Q) for the edition's *sive*, and repunctuating.

law is sometimes said to belong to the natural law insofar as everyone knows right away that it coheres with (*convenire*) the natural law [in the strict sense]. And from this it is evident that Gratian[3] spoke incorrectly about the natural law when he claimed that everything in the Scriptures of the Old and New Testaments belongs to the natural law. For not everything in Scripture is a practical principle known from its terms, or a demonstrated practical conclusion, or a truth manifestly consonant with such principles and conclusions. So we should interpret Gratian as extending the notion of natural law to include law established (*positum*) by the Author of Nature, as distinguished from positive law that is established by someone who is not the Author of Nature.

What belongs to (b1) divine positive law is clear from previous discussions.[4] For all 20
things contained in Scripture that are to be observed for some specified period of time and yet are not known from their terms or demonstrable from truths known in that way, and are not straightaway manifestly consonant with such truths, merely belong to divine positive law. All the ceremonies of the Jews in the time of that law, and all the ceremonies of Christians in the time of our law, are matters of divine positive law. For it is not known from terms or demonstrated or manifestly consonant with such truths that God is to be worshiped in the sacrifices of the Old Law, for whatever period of time, or that God is to be worshiped in our ceremonies, for example in the offering of the Eucharist and the singing of Psalms—though these are consonant with the natural law in the sense that they do not contradict it.

This too is clear: precepts that belong to the natural law, whether in its strict or its extended sense, are always uniform, whereas these ceremonies are not, since there were different ceremonies in the time of the other law.

What belongs to (b2) is clear, because beyond positive divine law, which is contained 21
in Holy Scripture, the Church has established many laws both for the sake of more honorable conduct in moral matters and for the sake of greater reverence in receiving and administering the sacraments.

2. THE APPLICATION OF THESE REMARKS TO THE QUESTION AT HAND

a. The ages of the natural law and of the Mosaic Law I say to the question at hand 22
that one is not bound by a precept of the natural law to the sort of confession of sin that is being asked about here. For if one were, this obligation would have obtained in every age and under every law. And that's false, since there was no such obligation in the age of innocence or in the age of the Mosaic Law.

[3] *Decretum* pars 1 d. 1, d.6.
[4] *Ordinatio* IV d. 1 nn. 223–57, 343–5, 357, 370–81, 389–92.

23 Now you might object by drawing on the Gloss[5] on Genesis 3:9, "Adam, where are you?," which speaks of "the voice of one accusing and asking for a confession." Therefore, there was confession in the time of the natural law, after the fall.

24 Similarly, we read [in Leviticus] that Aaron and his sons were required to confess the sins of the children of Israel, and it says several times that those who sinned against the Law were required to confess their sin and offer such and such a sacrifice.

25 This is also confirmed by the fact that there are many authoritative passages in the Old Testament about making a confession, such as "A just man first accuses himself."[6]

26 Furthermore, one can show as follows that this is a conclusion following from principles of the natural law: "Every guilty person ought to be judged" and "No one should be the judge in his own case" are known; therefore, a guilty person ought to be judged by another. He cannot be judged by another unless he is accused before that other; and if his sin was hidden, he cannot be accused except by himself. Therefore, he ought to accuse himself before another by whom he will be judged. And it is more consonant with reason that this be done in secret than in public if the sin was hidden. Indeed, it is perhaps well-known-enough to natural reason that if a sin is hidden, the accusation ought to be hidden. Therefore, from propositions known by the natural law, or at least very manifestly consonant with it, it follows that secret confession of one's own sin ought to be made to another; and given that, there is no one more reasonable to whom one could make such a confession than to a priest.

27 I reply to the first [n. 23]: Adam should not have hidden his sin from God, since God is the judge to whom every sin is manifest and before whom every guilty person ought to acknowledge his sin; and God sought this confession from him. Not only did Adam not make this confession, but he also excused his sin by throwing it back on his wife, saying, "The woman whom you gave me,"[7] etc. So this passage does not establish that the natural law required confession to a human being, though it did require confession to God as accuser.

28 Reply to the second argument [n. 24]: the sort of confession we are talking about here was not made anywhere in the Mosaic Law. Rather, confession of hidden sins was made to God alone, whereas confession regarding public offenses and the observance of legal requirements was made both by individuals, when a given person would offer sacrifice for such wrongdoing, and in the general confession of the priest on behalf of the people:[8] "We have sinned, we have acted unjustly,"[9] etc. And in this way the

[5] *Glossa interl.* Genesis 3:9. [6] Proverbs 18:17. [7] Genesis 3:12.
[8] Reading *generalis confessio sacerdotis pro populo* (PZNQ) for the edition's *generalis confessio sacerdotum* (A).
[9] Psalm 105:6.

priest's public confession was a certain disposition to ask for God's mercy on the people, in the same way that now, in the Church, by the confession that we are talking about we confess that we have sinned and ask for mercy for ourselves and for all people.

To the third argument [n. 25] I say that all the authoritative passages from the Old Testament used to prove [the necessity of] confession in the sense that we are talking about here merely use the *word* 'confession' but do not have the relevant *meaning*. So what sort of confession are they talking about? I say that they are talking about either the general confession that the priests[10] and Daniel[11] and many other holy Jews[12] made or about the confession of an individual's public transgression in failing to observe legal requirements, such as the irregularities that make one unclean in the eyes of the Law.[13] 29

As for that argument [n. 26], I concede that that proposition is known by the natural light, or at least is highly consonant with a proposition known [by the natural light]—namely, "A guilty person ought to be judged, since no transgression ought to be left unpunished in the universe, if there is one Governor of the universe, and he is just," which is naturally known or highly consonant with naturally known truths. And I concede the further claim that a guilty person ought to be judged by another. 30

But *who* that other is is not known by natural reason or even through any truths consonant with natural reason, except insofar as it applies to God, who is the rewarder of merits and punisher of sins. And in that case we can deny the further claim that that other cannot judge unless an accusation is made before him, since God knows sins even before they are committed, without any accusation. Or suppose we grant that the proposition "the sinner should accuse himself of his fault before that Judge, because the sinner alone knows it" is consonant with truth known [by the natural light]. It still doesn't follow that a sinner should confess his sin to anyone other than God, and I concede that this sort of confession belonged to the natural law: that is, it is consonant with truths known from the natural law. For[14] in every age after the Fall, just people who had faith that God was the just Governor of the universe[15] would, after they had sinned against the law of God, confess their sins to God, asking for his forgiveness, knowing that apart from such forgiveness he, as a just judge, would punish them for their sin. 31

Now you might argue that a sinner ought to accuse himself before another, who is his judge. But that can't be proved through truths known by the natural law or manifestly consonant with such truths, since no sinner can be a judge of human sin except 32

[10] Leviticus 4:1–12, 6:17–23; Numbers 15:25–6, 18:1–7; etc.
[11] Daniel 9:4–19.
[12] Exodus 32:31–2; 2 Chronicles 6:21–42; etc.
[13] See Matthew 15:1–20; Mark 7:1–23.
[14] Reading *quia* (PQ) for the edition's *quod*.
[15] Reading *rector universi iustus* (Q) for the edition's *rector universi et iustus punitor*.

as a minister of the supreme Judge—and being a minister of the supreme Judge in judging or punishing sin is something entrusted to each person with regard to himself, more so than to one person with regard to another. For God has entrusted each person with being God's minister in judging his own sin by imposing sadness and displeasure on himself, whereas it is not as evident that God has entrusted anyone with being his minister in carrying out judgment against another for that other's sin.

33 You might argue that in civic affairs one person judges another. I reply: that is true of matters that can become known to someone in his capacity as judge: that is, *public* matters.

36

Ordinatio IV, d. 21, q. 2

"Is a confessor bound in every case to conceal a sin disclosed to him in confession?"

Second, I ask whether a confessor is bound in every case to conceal a sin disclosed to him in confession. 55

It seems that he is not: 56

It is licit for anyone to give up a right of his own. Now a penitent has the right for his sin to be concealed; therefore, it is licit for him to give up this right by giving permission to his confessor, so that the confessor is not bound to conceal it.

Also, Bernard says in *On Commandment and Dispensation*, chapter 4,[1] "What was instituted for the sake of charity should not militate against charity." Now the concealment of a confessed sin would in certain circumstances militate against charity. Therefore, etc. Proof of the minor premise: whenever a confessed sin would be against the common good—for example, the crime of heresy or treason to the state—and especially if it was evident from the confession that the act was not just done already but still going to be done, it is evidently contrary to charity to shortchange the common good for the sake of a good of a private person. 57

Also, suppose certain men have agreed to kill a priest in the woods, and this priest is traveling with them. Before they reach the woods, one of them repents and confesses to that very priest. The priest is not bound to run the risk of death at the hands of the other men, who have not repented, without cause; therefore, he is also not bound to enter the woods. But by the act of not entering the woods he reveals to his other companions the confession of the one fellow-traveler who confessed, since he would not have abandoned their company had that one not confessed to him. Therefore, in this and similar cases it is licit to reveal a confession.[2] 58

[1] Bernard, *De praecepto et dispensatione*, Epist. ad abbatem Columbrensem, c. 2 n. 5. Cf. Richard Middleton, *Sent*. IV d. 21 princ. 4 q. 2 arg. 1 (he too says "chapter 4"); Thomas Aquinas, *Sent*. IV d. 21 q. 3 a. 1 qc. 1 arg. 1, and Peter of Tarentaise, *Sent*. IV d. 21 q. 4 a. 1 arg. 1, and others also cite Bernard.

[2] Cf. Richard Middleton, *Sent*. IV d. 21 princ. 4 q. 2 arg. 5.

59 Also, a priest absolves *de facto* a simoniacal bishop whom he cannot absolve *de iure*.[3] This priest is bound to confess the particulars and circumstances of this sin, for[4] it is a mortal sin, and these circumstances aggravate the sin. But in making this confession he reveals the sin of that simoniacal bishop. Therefore, etc.

60 Also, it is licit to reveal what is not a sin or a circumstance of a sin, such as the person—be it X or Y—with whom the penitent sinned, provided that this is not an aggravating circumstance.

61 Also, an abbot who has a monk in some place that belongs to his monastery knows, through the monk's confession, that the monk sinned in that place and that he has some questionable associates there, by whom he is frequently enticed to sin. It seems that he could take thought for the salvation of the monk's[5] soul, so he could remove the monk from that responsibility or duty, so that the monk will not have such an occasion for sin. But by the act of removing him, he reveals the monk's confession, since he would not perform any such act if the monk had not confessed to him; moreover, as a result of the abbot's act, other people could come to know the monk's sin, at least generally.

62 Also, in the *Decretals*, "On the sentence of excommunication," *Cum non ab homine*:[6] "You ought to avoid the company of someone who has incurred a sentence of excommunication for laying hands upon a cleric, unless perhaps you are the only one who knows about it, in which case you should merely avoid him privately." And it continues, "in order that, overwhelmed by the blush of shame, he might be impelled to make satisfaction for his hidden transgression." From this we can evidently conclude that if I know secretly, or through his confession, that he has incurred a sentence of excommunication, I ought to avoid him privately, so that he might be overwhelmed with shame. Therefore, it is licit to inflict shame on someone on account of his confession. Therefore, by parity of reasoning, it is licit to reveal his sin.

63 On the contrary:

"On penitence," distinction 6 (and quoted in the text):[7] "Let a priest take care above all things that he not tell anyone about the sins that have been confessed to him, for if he tells anything, he must be deposed and pass all the days of his life wandering in ignominy."

[3] According to canon law, only the pope, or someone with a special license from the pope, could absolve someone from the sin of simony (roughly, the buying and selling of ecclesiastical office). See *Extravagantes Communes* V tit. 9 c. 3.

[4] Reading *quia* (PZNQ) for the edition's *quod* (A).

[5] Reading *eius* (NQ) for the edition's *suae* (PZ), which would mean the abbot's soul rather than the monk's (though in fact Scotus is pretty careless about the distinction between *eius* and *suus*).

[6] Gregory IX, *Decretales* V tit. 39 c. 14.

[7] Gratian, *Decretum* pars 2 causa 33 q. 3, "De poenitentia," d. 6 c. 2; Lombard, *Sent*. IV d. 21 c. 9 n. 1.

Also, in the *Decretals*, "On penances and remissions," *Omnis utriusque sexus*:[8] "Let a priest take care lest he betray a sinner by word or sign or in any other way whatsoever." And it goes on, "If he shall presume to reveal a sin that has been disclosed to him, we decree that not only is he to be deposed from his priestly office, but he is to perform the most rigorous penance and be held fast in the strictest confinement." 64

I. Reply to the question

In this question, the first conclusion is that a priest is bound by the natural law to conceal a sin disclosed to him in confession. The second is that he is bound to it by positive divine law. The third is that he is bound to it by positive ecclesiastical law. The fourth explains when and in what way (and so on for the other relevant circumstances) he is so bound. The fifth concerns other secrets or matters disclosed to someone in secret. 65

A. The first conclusion

1. A PROOF OFFERED BY OTHERS

One proof[9] of the first conclusion goes as follows: 66

A person can truthfully affirm something when speaking in the person of someone else that the very same person would truthfully deny when speaking in his own person. Proof: an angel speaking to Moses in the person of God truthfully said, "I am the Lord your God" [Exodus 20:2]. Therefore, by analogy, a human being who is representing the person of God in the forum of confession can truthfully affirm something that he can truthfully deny when speaking in his own person outside that forum. Therefore, someone who, outside that forum, says that he has heard or knows such-and-such is lying, because he came to know those things only insofar as he was representing the person of God. Now the avoidance of lying—and particularly of harmful lies—belongs to the natural law. Therefore, etc.

2. REFUTATION OF THIS PROOF

One can argue against this proof: 67

First, it belongs to one and the same person, acting as the same person, both to have knowledge of a case and to give judgment in that case. This is obvious, since the very reason that this person, acting as this person, has knowledge of the case is so that he can judge correctly in the case. Now a priest does not give judgment by absolving the penitent in the person of God, but in his own person; therefore, he also hears and knows the confession in his own person. Proof of the minor premise: the priest does

[8] Gregory IX, *Decretales* V tit. 38 c. 12.
[9] Richard Middleton, *Sent*. IV d. 21 princ. 4 q. 1 in corp.

not absolve as the ultimate source of absolution,[10] but only as a minister, and absolving as a minister belongs to him only in his own person. For if he were speaking in the person of God in absolving a penitent, he could truthfully say, without the preceding prayer (which is "may the Lord absolve you"), "I as the ultimate source of absolution absolve and infuse you with grace," just as the angel truthfully said in the person of God, "I led you out of Egypt."[11]

68 Also, the priest does not hear or absolve in the forum of confession in the person of God more than he confects the Eucharist in the person of God, since the latter act is as noble as the former, and it is a sacramental act in which the divine power is active just as the former is—if anything, in fact, the priest seems to be acting in the person of God or in the person of Christ more in the Eucharist than in confession, since in the Eucharist he utters the words of Christ, "my body," and in the person of Christ, about whom he has already said, "In the night before," etc. Thus, he says the whole of "Take, [eat]," etc., and "This is [my body]," etc., as reciting the words of Christ. That is not how things are in giving absolution. Hence, he does not begin by saying, "Christ, willing to absolve a sinner, said 'I absolve you.'" Rather, the 'I' in "I absolve you" stands for the person of the minister himself. From this it is evident that a priest does not confect the Eucharist any more or less in the person of Christ than he absolves or hears a confession. Rather, he confects the Eucharist in his own person, and what he knows as confecting the Eucharist, he knows in his own person; hence, he is not lying after mass if he says "I know that I have consecrated the Eucharist today." Therefore, the same is true in the case of confession.

69 Also, according to this approach, and indeed according to the truth of the matter (as I shall prove later [n. 97]), it is permissible to speak in general terms of sins disclosed in confession, and to speak of them in particular in ways that do not reveal the identity of the penitent.

70 This is also proved by the passage in the *Decretals*, "On penances and remissions," *Officii*,[12] in which Innocent III responds to a cardinal-legate who wrote to him about a case he had heard in confession, asking for advice. The pope does not rebuke him for revealing those things in general terms, even in writing; instead he replies by explaining how one ought to advise such a penitent.

71 This is also evident from the common practice of confessors. After all, they sometimes say in ordinary conversation or in preaching, "Such-and-such a case happened" or "A certain person sinned in this or that way." So there is a standing assumption that a confessor can licitly speak outside of confession of a sin that has been confessed to him, though of course not in any way that would allow someone to connect it with the particular penitent and thus come to know who he is.

[10] "as the ultimate source of absolution" translates *principaliter*.
[11] Exodus 20:2.
[12] Gregory IX, *Decretales* V tit. 38 c. 9.

But if the argument given above [n. 66] were right, this would not be permissible, because the priest would be lying. Proof: if someone knows a particular truth only through a determinate singular instance, then if he does not know that instance, he doesn't know the particular truth. Now the priest knows that *someone* committed *such a sin* only because *this person* confessed *this sin*. Therefore, if he would be lying about *this person* and *this sin* because he does not know about them, he would likewise be lying about *some person* and *such a sin*. 72

So I concede these arguments [nn. 67–72]: revealing a sin disclosed in a confession is not against the natural law because the one revealing it would be lying. And thus I do not stand by that first argument [n. 66]. 73

In response to that argument I say that speaking in the person of someone is not the same as speaking by that person's authority or as his minister. For generally someone who speaks in the person of another portrays that person without qualification, as is generally the case with those who pretend to be others for the sake of entertainment. Suppose someone is portraying a person who stutters or who acts a certain way: in speaking as that person would speak, or acting as that person would act, he speaks or acts in the person of the one whom he is portraying. And for that reason, as soon as he falls short of acting as that person would act or speaking as he would speak, he is told "You are lying" or "You are falling short," although at that point he is acting or speaking in the way he usually does.[13] This is how things are in the case of what angels say in the person of God. 74

But a priest does not hear a confession or give absolution in the person of God in this way. Rather, he is merely a minister of God in that act, and he acts as a minister, and therefore in his own person. 75

So I concede that if the priest heard and spoke in the person of God, he could truthfully say something that he could not say in his own person. For in the person of God he could say "I am God," "I created the world," and suchlike; but if he were to say such things in his own person, he would be lying. But the priest neither hears nor speaks in confession in the person of God, but rather in his own person, albeit by God's authority and as God's minister. A priest acts in the same way in the other sacraments: hence, it is as God's minister that he baptizes and consecrates; and yet as a human being, or (in other words) in his own person, he knows that he has baptized and can say, without lying, that he has baptized. 76

3. SCOTUS'S ARGUMENTS FOR THE FIRST CONCLUSION

So I hold the first conclusion, 77

[13] Reading *more suo proprio* (PZQ) for the edition's *in ore suo proprio*.

78 but I offer four other arguments. The first is drawn from the notion of charity, the second from the notion of faithfulness, the third from the notion of truth, and the fourth from the notion of unity or mutual usefulness.

79 The first goes like this: the natural law concerning brotherly charity is set forth in Matthew 7:12, "All things whatsoever that you want human beings to do to you, do the same to them; for this is the law and the prophets," and Luke 6:31, "As you want human beings to do to you, do also to them." The words "what you want human beings to do to you" in this proposition of the natural law concerning brotherly charity should be understood to mean what you ought to will according to right reason; and the same applies to the words of Matthew 22:39, "You shall love your neighbor as yourself." Now according to right reason everyone ought to love his own reputation, and therefore the concealment of a sin he has confessed; consequently, a confessor ought to love and will the same thing for the penitent. But revealing the penitent's sin would destroy his reputation. Therefore, etc.

80 Proofs of the minor premise:

On the basis of Scripture: Ecclesiasticus 41:15 says, "Take care of your good name," and it offers a rationale for this: "For this will endure for you longer than a thousand great and precious treasures." And it offers another proof, adding, "The days of a good life are numbered, but a good name will endure for ever." And Proverbs 22:1 says, "A good name is better than great riches."

81 This is also proved through reason. For according to right reason everyone ought to will for himself the sort of life that is fitting for a citizen. Such a life is destroyed if one's reputation is ruined, because one lives a life fitting for a citizen by being suited for the lawful acts that are appropriate to one's role in society; and someone who has lost his reputation has been deprived of his aptitude for such acts, since he has lost the status he had when his dignity was unimpaired, that is, his aptitude for the acts he would otherwise be worthy to perform.

82 The second part of the minor premise, namely that the revelation of a confessed sin destroys the penitent's reputation, is proved as follows. Whatever justification there is for revealing it to one person is equally a justification for revealing it to another person and thus to everyone. But it is obvious that revealing it to everyone would destroy his status of unimpaired dignity, which consists in his reputation among his fellow-citizens.

83 The second argument: by the natural law everyone is bound to preserve toward his neighbor the faithfulness that he would will, and ought to will, that his neighbor preserve toward him. Now someone who entrusts another with a very great secret would will, and ought to will, that it be kept secret. Therefore, the other person to whom he has entrusted that secret is bound to keep it. This argument is touched upon in Proverbs 11:13: "He who walks fraudulently reveals what is hidden, whereas he who is faithful conceals what his friend has entrusted to him."

The third argument: by the natural law everyone is bound to keep a licit promise. 84
Now someone who is told a secret, especially one that is disclosed in confession, promises—even if not explicitly, then at least implicitly—to keep it secret. For the secret would not have been entrusted to him in the absence of such a promise (at least an implicit promise). Therefore, etc. This argument can be drawn from the verse, "Let each of you speak truth with your neighbor."[14]

The fourth argument: a given community has a unity proportionate to the unity of a 85
body[15] because there is in that community an ordering of superior and inferior, and the superior is bound to have influence over the inferior, whereas the inferior is bound to uphold the superior, in keeping with the analogy of the mystical body of Christ that Paul puts forward in several passages.[16] Now in civil society an inferior is less self-sufficient and less knowledgeable, and in the Church a sinner is lacking in knowledge, whereas the superior is a prelate who can both give counsel and offer reconciliation. Therefore, by the natural law no one is to keep an inferior from having recourse to a superior in necessary things or to prevent the influence of a superior over an inferior, since this is how members of the body can be of service to one another. Now revealing a secret would keep an inferior from having recourse to a superior for counsel concerning his soul, and consequently it would prevent the influence of a superior over the inferior, since no one would have such recourse if the matter about which he sought counsel or relief were not to be kept secret as a matter of rule. Therefore, by the same natural law by which everyone is bound to preserve the unity of the mystical body of Christ and to be of service to others as members of that body, one is bound also to keep that secret.

B. The second conclusion

Proof of the second conclusion, namely that a confessor is bound to secrecy by divine 86
positive law:

First: every Christian is bound not to give anyone else a reason to depart from the law of Christ. Now the law of Christ requires making confession, as I showed in distinction 17 [nn. 48–57]. Therefore, everyone is bound by the law of Christ not to discourage anyone from making a confession. Now one who reveals a confession thereby offers such a reason, one that discourages others from confessing. Therefore, etc.

Now you might say that even if this priest reveals it, some other priest will still keep 87
the secret. But that means nothing, since this priest, as far as it is up to him, gives a reason to someone else to avoid individual confessors in the same way.

[14] Zechariah 8:16, Ephesians 4:25.

[15] The edition, following A alone, reads *unitati corporis Christi mystici* ("to the unity of the mystical body of Christ").

[16] Romans 12:4–5; 1 Corinthians 6:15–20, 12:4–27; Colossians 1:18.

88 Also, second: Christ determined that the judgment of penance should be the final judgment on earth regarding the wrongdoing that is confessed. This is clear from the statement in Matthew 16:19, "Whatever you loose on earth will be loosed also in heaven," that is, finally and ultimately confirmed, and in John 20:23, "If you forgive the sins of any, [they are forgiven]"—understand this as meaning "they are finally, in the divine judgment, confirmed as forgiven." Therefore, anyone who brings into another forum something that has been discussed in the forum of confession, and has been given its final adjudication there, sins against the law of Christ. Now someone who reveals a confession brings it about, so far as it is up to him, that it can be brought into another forum, namely, a public forum. Therefore, etc.

89 Third: someone who gives an occasion for sinning mortally in carrying out a commandment of Christ sins mortally, since, as far as it is up to him, he causes what ought to be carried out fittingly to be carried out unfittingly. Now someone who reveals a confession gives an occasion for Christ's command concerning confession to be carried out unfittingly, because dishonestly. For he gives an occasion for someone to praise himself in his confession and to revile another, whom he hates, so that he might be unworthily rewarded by the confessor and his enemy punished. Therefore, etc.

C. The third conclusion

90 The third conclusion, namely, that such concealment is required by the positive law of the Church, is evident from the authorities cited for the contrary, among which the second [n. 64] is better and more reasonable. For it is not beneficial for anyone to become an outcast because of a crime, at least as long as his being detained among human beings, whether in company or in solitude, can be tolerated. For an outcast is left more to his own bad will, and thus he would sin more both against himself and against others, and would do more harm, than if he were kept under close supervision.

D. The fourth conclusion

91 As for the fourth conclusion, we must investigate *who* is bound, *to whom* he is bound, and *when* he is bound.

As for *who* is bound, I say that not only the confessor but also one to whom the confessor reveals it, even illicitly, is bound to conceal it. Proof: someone who transfers to another *de facto* what he cannot licitly transfer *de iure* does not give to that other any right of use or right to transfer to another; for because he has no right himself, he cannot transfer any right to another, since "no one gives what he does not have."[17] Now a confessor who reveals a confession has no right to transfer this information to another; therefore, if he in fact transfers it, the other has no right to transfer it further.

[17] Aristotle, *Sophistical Refutations* II.5, 178b1–7.

I say the same thing in the case of someone other than the confessor who hears a 92
penitent's confession. If he hears it accidentally, he is not sinning, but he is still bound to silence. If, however, he hears it stealthily, he sins mortally, and in addition he is bound to silence.

These two conditions concerning *who* is bound are proved by the arguments given 93
above for the first and second conclusion [nn. 78–85, 86–9].

Now what about the *when*? I say that one is bound always and for ever, since it is a 94
negative precept. And from this it follows that one may not reveal it once the person is dead any more than when he is alive, since the arguments given for the first and second conclusion are equally conclusive regarding this as a negative precept whether the penitent is alive or dead.

As for *to whom* he is bound not to reveal a confession, according to one view[18] the 95
priest is bound not to reveal it to anyone except his superior.

But the arguments given above are just as conclusive regarding a superior as they are regarding an inferior, except in a case in which an inferior cannot absolve but is required to refer the confession to a superior who has the power to absolve. In such a case, the inferior is not himself the confessor. Instead, one should think of it like this: the penitent who tells the inferior priest his sin tells him only as an interpreter, and then this all takes place in a single act of confession in which the penitent is the one submitting to judgment and the superior—who is the only confessor in such a case—is the judge. The go-between—the priest who hears the confession and refers it to his superior—is merely an interpreter. Nonetheless, he is bound to silence toward everyone other than the one for whom he is interpreter.

You might say that this point offers a way to reply to the argument made earlier 96
about the chapter *Officii* [n. 70], because in that case the inferior tells his superior about the sin confessed to him, and consequently that chapter does not prove that it is licit to speak to anyone outside the forum of confession about the sins he has heard about. But that is entirely wrong. That cardinal did not write to the pope in order for the pope to grant absolution; he wrote seeking counsel about what he should do himself. That's clear from the pope's response: he does not immediately absolve the woman for representing another child as her own,[19] but instead he prescribes how a discreet priest ought to counsel her. And in such a case of doubt he could likewise seek counsel not only from a superior but from any other prudent person whom he knew to consult.

[18] William of Auxerre, *Summa* IV tr. 10 c. 3 q. 2 in corp.

[19] The story as contained in the *Decretals* is that the woman, fearing that her husband was going to stray, faked a pregnancy by drinking every day a potion that distended her stomach. At length she presented someone else's newborn child to her husband as the child to whom she had just given birth.

97 Hence, what is said there in opposition to the first argument [n. 69] is generally true: as long as a penitent's sin is not connected with the penitent or told in such detail that the penitent's identity is revealed, the confessor can speak about it; and it is useful, even necessary, for him to do so, when he is not himself experienced enough to know what counsel to give. And in such circumstances he can usefully speak to some prudent person whom he knows to consult, and he ought to do so as a matter of urgent need.

98 But can the pope *command* that it be revealed to him?

I reply: a certain writer[20] would say that the pope never has power over and above the natural law.

99 As for *what* he is bound to conceal, I say that he is bound to conceal not only the penitent's principal sin and the circumstances of the sin, since the circumstances cannot well be revealed without revealing the deed, but even any second person with whom the sin was committed.

100 This is evident from the arguments given for the first [nn. 79–85] and second conclusion [nn. 86–9], because the penitent wants also to save the reputation of the person with whom he sinned—that is, he ought to want that for the other just as he wants it for himself, and indeed more, because that person was his companion in wrongdoing. For he is bound even more to make restitution to his companion for the good that he lost through that wrongdoing,[21] and to safeguard whatever good of his can be safeguarded notwithstanding the evil that they have done.

101 The requirements of faithfulness, truth, and unity or community [nn. 79–85] are also evident here as before.

102 Similarly, the three arguments given for the second conclusion [nn. 86–9] also apply here: failure to conceal [the information specified in n. 99] would discourage people from confession, brings into another forum what is aired in the forum of confession, and is an occasion for lying in the forum of confession, as I said earlier [n. 88].

E. The fifth conclusion

103 As for the fifth conclusion, one view[22] is that one is bound by the natural law to keep every secret, on the basis of the arguments given for the first conclusion [nn. 79–85]: not merely when the person entrusting one with the secret[23] states explicitly that he

[20] Richard Middleton, *Sent.* IV d. 21 princ. 4 q. 2 ad 2.

[21] "that wrongdoing": reading *illud* (Q) for the edition's *illam*, which would have to refer to "restitution," which makes no sense. A has *illum*, which could mean "him," meaning the penitent.

[22] Richard Middleton, *Sent.* IV d. 21 princ. 5 q. 4 in corp.

[23] "person entrusting one with the secret": reading *committens* (NQ) for the edition's *ipse confitens*, "the penitent himself." Since the point of this argument is that the obligation to keep secrets is *not* limited to the confessional, *ipse confitens* can't be right.

wants it to be kept secret, but also whenever it is clear from the way in which he entrusts it that he wants it to be kept secret.

But the arguments for the second conclusion [nn. 86–9] are not as clearly conclusive here, except for the third [n. 89], since the revealing of any secret would give an occasion for lying in entrusting anyone with secrets. 104

On this topic I say that the ecclesiastical penalties imposed for revealing just any secret are not the same as those imposed for revealing a confession. If someone publicly reveals any other secret, a different penalty—namely, infamy—is imposed on him. For someone who makes a false accusation, or one that cannot be proved, is designated a calumniator in the *Decretals*, "On calumniators."[24] Someone who reveals a secret misdeed that cannot be proved is a calumniator. 105

II. Replies to the preliminary arguments

Replies to the arguments. 106

To the first argument [n. 56] I say that it is not only the penitent's right, but the community's right, that a confessed sin should be concealed. For from the opposite (that is, from the revealing of a confessed sin) a constant disturbance in the community would arise, since any given person would indiscriminately think that some other person is abhorrent. And it is not licit for someone to give up a right of his community in the way that it is licit for someone to give up his own right.

Alternatively, one could say that, even supposing it were only his right and a right vested in his favor, it would still not be licit for him to give up this right in such a way that his confessor would be free to reveal his confession. For the confessor is bound by multiple laws, both natural and positive, none of which the penitent has the power to repudiate. 107

So what is a confessor to do if the penitent wants him to speak openly about his sin? 108

I say that a penitent can afterwards speak about his sin outside of confession, and as a secret, but this subsequent freedom on the part of the penitent does not remove the confessor's obligation under the natural law to conceal the sin. But if the penitent says that it is not to be treated as a secret, and especially around some particular person or persons to whom he allows the confessor to reveal it, perhaps for the sake of some good end that can result from such a revelation, then the confessor can speak of it as something told him publicly and not as secret in any way.

[24] Gregory IX, *Decretales* V tit. 2 cc. 1–2.

109 But can he then say, "I heard this in confession"?

I reply: one response[25] would be that these words, "I heard this sin in this person's confession," just by themselves involve a mortal sin, because they involve revealing this sin as something known by means that it is not licit to reveal. Hence one who, after a confession, reveals a sin that is no longer in any way a secret must be very careful about how he speaks about it and describes it, so that he does not tell it as something said to him in a way that cannot licitly be revealed.

110 Against this: it is licit for him to tell what was told him outside of confession to anyone he wants to, and saying that this was confessed to him does not change the character of what he says, so it is licit for him to say this.

111 To the second argument [n. 57] I say that there can be no case in which silence militates against charity. Indeed, the opposite would militate against charity toward the community, as was shown in the four arguments for the first conclusion [nn. 79–85].

112 And when you object on the grounds of the common good [n. 57], I say this: Deuteronomy 16:20 says, "Carry out justly what is just"; therefore, carry out with charity what charity demands. But someone who does what is contrary to the natural law in the ways explained above [nn. 79–85] by failing to conceal something wicked that has been or is going to be committed is not carrying this out with charity. For that reason, the jurists' verse, "Heresy is a crime that not even confession conceals," must be condemned, not because the meter isn't good, but because what it says is false.[26]

113 In reply to the third argument [n. 58] it can be said that the priest can have lots of reasons for not entering the woods besides the wickedness of the bandits that has been disclosed to him. At least he can think up lots of other reasons and say to them, "I want to do thus and so," "I want to turn aside to such-and-such a place before I go any further." And thus if it looks as though he has turned aside for the reason he has stated, he does not reveal the confession by either word or deed.

114 But if he would not be able to leave them on any pretext without its being evident to them that he is doing so because of the confession, and he would thereby reveal the confession, some[27] say that he is bound to enter the woods. And if he risks death, this is for a just cause, namely, in order that he might uphold the Law of God concerning the seal of confession; consequently, if he is killed, he is a martyr.

115 But alternatively it can be said that deeds can be equivocal signs, since different people can think of this or that deed in different ways. So a deed should not be regarded as revealing a confession unless by its very nature it brings to light the

[25] Thomas Aquinas, *Sent*. IV d. 21 q. 3 a. 3 in corp. and ad 2.

[26] The teaching from which this verse is taken is discussed by Raymond of Peñafort, *De poenitentia et matrimonio, cum glossis Ioannis de Friburgo*, III, 'De poenitentiis et remissionibus,' § 60, and Henry de Susa, *Summa super titulis Decretalium*, V, 'De poenitentiis et remissionibus.'

[27] Richard Middleton, *Sent*. IV d. 21 princ. 4 q. 2 ad 5.

confessed sin, and the priest's not going into the woods does not do this; for if they had not spoken together about this killing beforehand, his turning aside would never be a basis for their knowing that their companion had confessed his intention of killing the priest—whereas if turning aside were by its very nature a sign leading to knowledge of such a confessed sin, it would lead anyone to that knowledge whether the conspirators had spoken together or not.

So it can be said generally that a sign that is of itself indifferent with respect to a sin's 116
having been confessed or not, even if in a particular set of circumstances it is a more determinate sign for certain people than it would otherwise be, is not of itself a sign that reveals a confession; consequently, it is also not unqualifiedly illicit for the confessor.

To the fourth argument [n. 59] I say that a confessor who administers the sacrament 117
of penance indiscreetly is bound not to confess his indiscreet deed straightaway, that is, when his own confessor could identify straightaway the person regarding whom he indiscreetly exercised the power of the keys. And then, when he does confess it, he is at least bound not to give particulars of the fault with respect to which, and the manner in which, he indiscreetly exercised that power. Rather, he should speak strictly in general terms: "by my own fault I improperly and indiscreetly administered the sacrament of penance." Or if his conscience urges him to confess this sin in its particulars—because, as the argument says [n. 59], it is a particular mortal sin with particular circumstances that add to its gravity—he is bound to await an opportunity to confess to someone who cannot identify the penitent on the basis of such a confession of the sin and its circumstances.

Now if no confessor can be found who would not be able to come to know the fault 118
and the identity of the penitent from a description of the sin and its circumstances, the [indiscreet] confessor is in circumstances in which it is impossible to confess to a human being, since he is bound more by the precept of not revealing a sin that has been confessed to him than by the precept of making an explicit confession of his fault. For he is bound by the first precept in many ways by the natural law, as the arguments for the first conclusion [nn. 79–85] prove, and in many ways by positive divine law, as the arguments for the second conclusion [nn. 86–9] prove; whereas he is bound by the second precept at most by divine positive law, as I explained in distinction 17 [nn. 42–7]. Therefore, let him confess it to God.

From this it follows that everyone who administers the sacrament of penance ought 119
to be especially careful not to administer it indiscreetly, particularly in a case in which he would not be able to confess his indiscretion explicitly without revealing the confession of someone else who had confessed to him.

Reply to the fifth argument [n. 60]: Granted, sometimes the person with whom one 120
sins does not aggravate the sin. For example, that it was with Alice or Berta does not aggravate fornication, other things being equal (for example, both are single,

not closely related [to the fornicator], and so forth). When this is the case, it is stupid to confess the person with whom one sins, and someone might even wonder whether explicitly stating that person's involvement is itself a mortal sin (whether it is then or at some other time that the other person is identified in whatever way it was necessary for the person to be identified). Be all that as it may, the second person always falls under the seal of confession, as I explained in the fourth article [nn. 99–100].

121 Accordingly, in regard to the first case one would have to deny the major premise, "[it is licit to reveal] what is not a sin or a circumstance of a sin, [provided that this is not an aggravating circumstance]" [n. 60]. For in order for this to be true, one would have to add "or anything that could reveal the identity of the penitent." Or one should add even more to the major premise, namely, "or anything that by the natural law or divine law is to be kept secret." And the minor premise is manifestly false as applied to the second person, as is evident from the fourth article [nn. 99–100].

122 In reply to the sixth argument [n. 61]: suppose that the usual practice in the community is that anyone outside the monastery, whether exercising responsibilities or spending some time free from responsibility, can be recalled without notice at the discretion of the one who presides—or, if not entirely at his discretion, then on occasion and for some worthy reason, so that someone may rest for a time within the enclosure and then, for a time, work like Martha in some ministry outside it, and now this person will do so, and now that person, as the one who presides deems it useful. In those circumstances, I say that an abbot can recall to the monastery a monk who has confessed to wrongdoing committed in some place where he was staying outside the monastery, for his doing so would in no way reveal the sin that was confessed to him, despite the fact that someone would say[28] that a confessor cannot behave any differently (as far as an act outside the forum of confession goes) toward a penitent on the basis of his confession than he would behave if he had heard nothing at all. If, by contrast, the practice in the community is that a monk is not transferred from outside to inside the enclosure except on the basis of some misdeed or of his incapacity for his responsibilities in that place, it is evidently not licit to recall the penitent to the monastery.

123 You might say, "In that case the abbot is not applying[29] a remedy for the salvation of his sheep." I reply: let him, in the forum of penance, counsel the monk as best he knows how that he should leave that place which is so dangerous to him. If the monk should refuse, the abbot should not try to be God; rather, he should leave to God's correction the hidden sins that he himself cannot justly correct.

[28] Henry of Ghent, *Quodl.* VIII q. 19 in corp.
[29] The edition follows A alone in adding *nec procurat*, "or looking for."

To the last argument [n. 62] I say that that chapter does not speak explicitly of someone who knows through a confession, or even by way of a secret that has been revealed to him, that someone is excommunicate. Rather, it merely says that he knows this *privately*. That is, he knows or believes that the community doesn't know, and thus, because he knows this privately, he should avoid the person privately. No wonder, since he does not owe that person this secret knowledge. 124

But what should he do if he knows it only through the forum of confession? 125

I reply, as I said in response to the third argument [nn. 113–16], that if he can avoid the person by some means that will not reveal his excommunication, he ought to avoid him. If, however, he cannot, then not only is he under no obligation to avoid him, but it is actually not licit to avoid him, because avoiding someone who is excommunicate is required merely by positive ecclesiastical law, whereas not revealing a confession is required by the natural law and by positive divine and ecclesiastical law. Now when precepts are evidently in conflict, the higher precept imposes the greater obligation and therefore is to be obeyed more steadfastly. And one who obeys the higher precept and omits the lower precept is not sinning, since no one is in a state of perplexity on the basis of divine law and ecclesiastical law.

37

Ordinatio IV, d. 26, q. un., nn. 12–31

The moral goodness of the marriage contract

12 In order to prove the first conclusion,[1] this first preliminary conclusion is needed: A human being's willing to procreate offspring in the human species is an act capable of being characterized by correct circumstances. Proof: it is not an intrinsically bad act, such that it cannot be characterized by correct circumstances (as is, for example, giving something that does not belong to one).

13 This is evident on several grounds:

(1) For a human being to preserve his own species is not more contrary to right reason or to natural inclination than for any other animal to preserve its species; indeed, the more perfect a species is, the more this accords with inclination. And a species cannot be preserved in a regular way otherwise than by procreation.

(2) Even if human beings were immortal, it would still be suitable for them, in keeping with a correct natural inclination, to share their species in the way that would be possible for them, namely, by procreation.

(3) Arguing from things believed: There is no commandment to do something illicit. But the commandment "Be fruitful and multiply" is given both in Genesis 1:28, before the fall, and in Genesis 9:7, after the fall, to Noah and his family.

(4) According to right reason, relying on faith, it is not bad, but instead honorable, to work toward making up for the fall of the angels and restoring the heavenly city, Jerusalem, in accordance with divine predestination; but the elect, who are predestined by God to make up for that fall, are not typically brought into being otherwise than by procreation. Therefore, etc.

[1] Namely, "It is honorable for a man and a woman to join themselves together or obligate themselves to each other in an indissoluble bond for the sake of procreating offspring to be suitably brought up."

Thus it is evident that this act is not intrinsically bad. Therefore, it is either intrinsically morally good or else capable of [being morally good because] characterized by correct circumstances. 14

Proof that it is not intrinsically sufficiently good in terms of moral goodness: no willing is intrinsically good in virtue of having a morally good object unless its object is intrinsically worthy of being willed, in other words, unless its object is the unqualifiedly ultimate good. Such willing is loving God, which can never be contrary to right reason; indeed, it is necessarily in accord with right reason that such an act tend toward such an object. But that is because this object is the ultimate end, which is to be willed in its own right by everything ordered to the end, in whatever way it can love that end. For human beings can distinguish everything that is for the end either rightly or wrongly, because they can order it to God and thus use it, or not order it to God and thus enjoy it, which is a great sin.[2] 15

But, clearly, the good thing that is the object of the act of procreating or of willing to procreate offspring is not the ultimate end, but merely something ordered, or capable of being ordered, to the ultimate end. Therefore, such an act is not intrinsically sufficiently morally good. Therefore, it is capable of [being morally good in virtue of] being characterized by the right circumstances.[3] 16

Also, one can offer a single argument to prove both points, i.e., that this act is morally neither intrinsically good nor intrinsically bad: The only act that is intrinsically bad is one whose object is incompatible with that act's being good or whose object is incompatible with the goodness of the act, or else one that is unsuitable for someone who acts according to right natural reason. And, conversely, the only act that is intrinsically good is one whose object is necessarily fitting for the act of someone who acts according to right reason. Now the procreation of children is neither unsuitable for a human being nor necessarily fitting according to right reason. Therefore, this act is neither intrinsically good nor intrinsically bad. For no act is perfectly good simply in virtue of its genus[4]—in other words, solely in virtue of its object—except for the act of loving God, which has goodness solely in virtue of its object; and no act is bad [simply] in virtue of its genus—in other words, solely in virtue of its object—except for the act of hating God. Hence, neither of these acts needs to be specified or can be characterized by circumstances[5] [that change its goodness or badness]: for God cannot be loved too much (I am speaking here of friendship-love), and there is no good way for anyone to hate God. 17

[2] PZN omit the preceding sentence and part of the next, continuing, "But this [act] is not the ultimate end," etc.

[3] PZN omit the preceding sentence as well as all of nn. 17–18, though Q (not collated by the editors) includes them, with some minor textual variants.

[4] Reading *perfecte bonus ex genere tantum* (Q) for the edition's *bonus ex genere* (A).

[5] Reading *oportet specificare nec est circumstantionabilis* (Q) for the edition's *oportet specificare vel circumstantionare; nec est circumstantionabilis* (A).

18 This, then, is the first [preliminary] conclusion: willing to procreate offspring is an act that can be characterized by correct circumstances.

19 The second conclusion is that the first circumstance required for the moral goodness of this act is the circumstance of the end, as is universally true in moral matters. In the present case, that circumstance is this: willing to procreate offspring *to be brought up religiously in order to expand the worship of God*.

20 This is proved by reason: the end of human beings is perfect human activity, as we read in *Ethics* I (1099a7–1099b28) and X (1174b18–1175a1);[6] therefore, it is for the sake of this end that a given person ought to will to have offspring.

21 It is also proved from things believed: everyone ought to love his neighbor from charity as he loves himself, that is, with a view to the same end. And everyone ought to love himself with a view to an honorable way of life and to the worship of God. Therefore, everyone ought to love his neighbor—and above all his offspring, to whom he is specially bound—in that same way.

22 This is confirmed through Augustine, *On Genesis* IX: "Not all who have offspring have the good of offspring, since it is not the offspring themselves who are said to be the good of offspring, but rather the hope or desire by which one seeks offspring so that they might be instructed in religion."[7]

23 There follows a second circumstance, namely, that this act ought to be of determinate persons, male and female.[8] That it ought to be of male and female is not a circumstance; that's included necessarily in the act of procreating offspring. But that it be of determinate persons is a circumstance on the part of the agent causes.[9] For indiscriminate copulation is contrary to (a) the good of the offspring (which is the intended end), (b) the good of the family, and (c) the good of the city.

24 Proof of the first (a): offspring would not be religiously educated by their parents, since parents would not have determinate knowledge of their offspring—at any rate, the father wouldn't, and so he would not be so careful about imposing the appropriate

[6] Cf. *Ordinatio* IV d. 10 n. 274.

[7] Or "molded religiously," or something like that. The quotation actually derives from Peter Lombard, *Sent*. IV d. 31 c. 2 n. 4, but Richard Middleton attributes it to Augustine in his commentary on the *Sentences* (IV d. 31 princ. 1 q. 3 in corp.); there is something vaguely (but not very) like it in *De Genesi ad litteram* IX.7.

[8] The edition precedes this sentence with *Sed haec circumstantia non sufficit, licet sit prima et concludens omnes alias; et ideo*, "But this circumstance is not sufficient, even though it is the first and encompasses all the others. And therefore" (A). If the first circumstance really did encompass or include (*concludens*) all the others, it *would be* sufficient.

[9] The edition, following A alone, adds "that are due and appropriate for this end—not only for the procreation of offspring but also for repeated procreation of offspring. Now I say 'repeated' because it is fitting that one man have determinately one woman not only for procreation but also for repeated procreation, for nature does not allow just anyone to copulate with just anyone, and that is not found even in beasts. But it is evident that this act ought to be determinately of one man with one woman."

discipline on his offspring.[10] And, conversely, the offspring would not be as apt to offer the father obedience or the appropriate respect and filial fear, and it is on account of such fear that a son is more obedient to his father and can be disciplined by his father more easily than by anyone else.

Proof of the second (b): the good of the family consists in the principal persons of the family cleaving firmly to each other; otherwise, the whole thing would be indiscriminate. And for this reason the Philosopher says in *Ethics* VIII [1162a17–19] that human beings are naturally "conjugal" animals in that they are suited for life in a household. And no other persons would give adequate attention to each other's needs or to the needs of their offspring. 25

The third point (c), that it is contrary to the good of the city, is evident from the fact that friendship among citizens is sustained by matrimonial contracts of this sort; therefore, such contracts ought to be between definite persons, since the friendship of citizens is, for the most part, derived from determinate intimacy at a specified level—whereas if there were indiscriminate copulation, there would be no known and specified intimacy to serve as the cause of friendship; indeed, all intimacies would be confused. 26

And that is why Aristotle in *Politics* II [1261a4–12] is right to criticize the polity of Socrates, who wanted all wives to be in common. For in the state of fallen nature what Aristotle himself proposes is much better, namely, that a determinate person shall have a determinate spouse. And indiscriminate copulation of male and female would be contrary to reason in every state. 27

This circumstance is also evident from things believed, through Holy Scripture, since Genesis 2:24 says, "The two will be one flesh," and Christ says the same thing in Matthew 19:5; and the Apostle says in 1 Corinthians 7:2, "Let each man have his own wife" (read: on account of fornication). And even granting that this determination would not be proved by natural reason to be unqualifiedly necessary, in such a way that its opposite would be repugnant to natural and manifest reason, at any rate this affirmative statement is sufficiently evident: it is honorable for persons belonging to the Church to be determinately conjoined one with another for this act. 28

Now the other circumstance—that it is honorable for these persons to be obligated to one another in an indissoluble bond for this end—is proved from the preceding. For just as determinacy of the persons contributes to the due education of the offspring and to the good of the family and of the city, the permanent cleaving of these determinate persons one to another also contributes to this same end; but because so many things can happen and so many difficulties can arise, they would not cleave 29

[10] Or perhaps "providing the appropriate teaching for his offspring"—but *disciplina* seems clearly to be 'discipline' in the next sentence, and so I have translated accordingly here as well.

to each other permanently unless they were obligated to do so by this sort of indissoluble bond.

30 And even granting that it could not be proved manifestly by natural reason that this conclusion (which is the foremost conclusion in this section) is unqualifiedly necessary, what we set out to prove has been proved, namely, that it is honorable and consonant with natural reason that a man and woman should be under such an obligation for the sake of such an end.

31 And from this the solution to one question is evident: namely, whether such an obligation belongs to the natural law. For I explained earlier, in distinction 17 [n. 19], that what belongs to the natural law in the most proper sense is a practical principle known per se and a conclusion deriving demonstratively from such a principle. In a second sense, however, a [practical] truth that is evidently consonant with such principles and conclusions, though it does not follow from them necessarily, also belongs to the natural law. And in this latter way "It is honorable for a man and a woman to be obligated to the aforesaid end" belongs to the natural law.

38

Ordinatio IV, d. 29, q. un., nn. 2, 11–28

Coerced consent

Concerning distinction 29 I ask whether consent that is coerced on the part of one or both parties is sufficient to contract genuine matrimony. 2

One approach[1] to this topic says that someone cannot be compelled to consent in such a way that the will consents, because the will is not compelled and cannot be compelled. Rather, someone is compelled only in a certain respect by fear of the bad consequences that he wills to avoid. On this basis it is argued that in order to avoid the bad consequences that someone fears, it is enough for him to give consent externally, in words; and so if, in addition to the consent that is given overtly in the words that he utters, he also consents inwardly, in his mind, that additional consent does not proceed from fear. Consequently, that inward consent is free, not compelled, and thus it obligates, and the marriage is ratified both by God's judgment and by that of the Church. By contrast, one who does not consent[2] in his mind, but only in words, given that there is no free consent in his mind, does not contract matrimony either in the tribunal of his conscience or in the tribunal of the Church, because the Church presumes that he has not consented. 11

But this seems unreasonable, first, because that fear—as everyone agrees—cannot be unqualifiedly coercion either inwardly or outwardly. For someone who speaks voluntarily moves his tongue: someone else might open his mouth violently and move his tongue around, but however much that might be done, he would not be able to utter words or express anything unless he voluntarily moved his own tongue. Therefore, this "coercion" is simply an inducement to do something in order to avoid an impending evil. 12

[1] Richard Middleton, *Sent*. IV d. 29 princ. 1 q. 1 in corp.

[2] The edition has *Qui autem consentit* (A), "By contrast, one who consents." This sentence is missing from PZNQ (see the next note), so there is no other collated MS to consult, but the sense clearly requires the addition of *non*, 'not.'

Similarly, fear that induces someone to commit a mortal sin cannot befall a man of steady character; for if that were possible, it would follow that a human being could be compelled to sin mortally.

13 On the basis of these points I argue as follows:[3] anyone who is compelled to *x*, where *x* cannot exist apart from *y* without mortal sin, is compelled to *y* as well, taking 'compelled' in the same sense in both cases. But according to you this person is compelled by fear to say outward words that express consent, but those words cannot exist apart from inward consent without mortal sin, because someone who utters those words apart from inward consent lies perniciously. It follows, then, that just as he can—according to you—be compelled to utter those words, so too he can be compelled to inward consent.

14 There are many proofs of the major premise. First, the only fear that excuses is that which can befall a man of steady character, but a greater fear of disadvantage than of mortal sin is evidently not something that can befall a man of steady character.

15 Another proof: no fear can befall anyone according to right reason except with respect to submitting to a lesser evil in order to avoid doing something worse or in order to forestall something worse. But undergoing any suffering whatsoever is less bad than sinning mortally, and it is a mortal sin to express consent outwardly but not to consent inwardly.

16 This can also be proved in terms of what is licit or illicit: fear cannot induce anyone to do anything except what is licit, because it is more necessary to avoid what is illicit than to escape suffering. For the cause that determines someone to avoid what is illicit is superior to the cause that determines someone to forestall suffering, since it is through the affection for justice that God inhibits human beings from what is illicit, whereas the affection for the advantageous inclines human beings to avoid suffering.

17 This argument [n. 13] is confirmed by a twofold example:

First, if it is not licit for someone to consent inwardly, no fear should induce him to utter the words outwardly, as is the case for a religious, who should in no way be induced to say these words: for either he is consenting and thus sins mortally against his vow, or he is not consenting and thus sins mortally by telling a pernicious lie. Therefore, no one else is sufficiently induced by fear to say these words except as he is distinguished from a religious in that it is licit for him to consent inwardly.[4]

Another example: suppose the person doing such violence to him that he takes her as his wife were also to demand that he swear this oath: "I swear by God's holy Gospels that I consent to her without fear." He ought not to be induced by any fear to swear this oath, since it is a mortal sin to lie in an oath. Therefore, by argument from

[3] PZNQ omit the last sentence of n. 11 and all of n. 12 and begin n. 13 with "Against this:".

[4] Reading *quia* (add. *scilicet* Q) *licet sibi consentire interius* (PZNQ) for the edition's *cui non licet sibi consentire interius* (A).

a similar case, he should not be able to be induced by any fear to agree in outward words to take her as his wife unless doing so is licit; but it is not licit unless it is accompanied by inward consent.

Now you might say that what these arguments prove is that he should not say the words on account of any fear unless he consents in his mind, but if he does consent, he is obligated, because fear does not sufficiently induce him to that consent. On the contrary: he is not compelled in an unqualified sense to utter those outward words either, in such a way that someone else moves his tongue; rather, he is said to be compelled by fear to say these words on the grounds that he is facing something else, namely death, that it is more important to evade. Therefore, reasoning from this similar case, when he is facing something that it is more important to evade than consenting to her—for example, death or mortal sin—he is compelled by fear to consent to this. 18

This is confirmed by the fact that the opposite view would give many people an occasion to lie perniciously. It is also confirmed through an example: if someone in great peril jettisons his cargo in the sea lest the ship go under, he jettisons it out of fear; and if there were some other act apart from which he could not jettison the cargo (either absolutely or without mortal sin), he would be compelled by fear to perform that act as well. 19

Second, this view is mistaken in saying that the Church presumes in such a case that there is no inward consent because it presumes that he consented outwardly only out of fear and not inwardly in his mind. This is false: the Church always presumes the more favorable interpretation, as is held in the *Decretals*, "On the rules for oaths," *Estote misericordes*,[5] and in the single chapter of "On the examination to be made for ordination," which states, "If someone does not know that another is unworthy, he ought to regard him as worthy."[6] And it is clear that the Church manifestly presumes that sexual intercourse following vows expresses a marital relation, since it presumes that the spouses are not sinning mortally in that act; therefore, reasoning from this similar case, it presumes likewise in the case at issue here [that verbal consent is accompanied by inward consent]. 20

So I give a different answer to the question. There are two things we need to examine in this context: first, how there can be coerced consent; and second, whether coerced consent is sufficient for contracting matrimony. 21

Concerning the first I say that there is no coercion, properly speaking, in a human act. For it is a contradiction for the will to be coerced in an unqualified sense into an act of willing, since according to *Ethics* III [1110b15–17] "the violent is what has an external principle in such a way that the patient does not act along with it." 22

[5] Gregory IX, *Decretales* V tit. 41 c. 2. [6] Ibid., I tit. 12 c. un.

Understand "the patient does not act along with it" not negatively but contrarily, that is, as meaning "the patient acts against it"—thus, the sense is "the violent is what is totally from an extrinsic principle and contrary to the inclination of the patient." And willing cannot be in the will in this way, since if it were, someone would be willing unwillingly, which manifestly involves a contradiction.

23 Nevertheless, someone who has a will can be coerced into a passion (for example, that someone who is tied up remain where he is) or to some instrumental action that is, however, not his own action (for example, if someone strikes something with my hand in the way that he could strike with a bronze hand).[7]

24 But one cannot be coerced into an elicited or commanded act of will, which alone is properly speaking a human action, except in a qualified sense, that is, out of fear of an evil that is greater than the act itself. And this sort of coercion is possible in the case of a virtuous person when he knows—not just guesses or suspects but knows with certainty, at any rate the kind of certainty that is sufficient in human acts—that [if he does not perform the act] some evil will be imposed on him that is more unsuitable for him and more to be avoided than eliciting the act that displeases him. And it can very well be the case that it is more unsuitable for him according to right reason: for example, death, imprisonment, captivity, extensive maiming, sexual violation, and similar evils.

25 Therefore, since a virtuous person is master of his own will, he can also will something that he would not otherwise will, and command an act that he would otherwise will-against, lest he suffer these evils—and that in accordance with right reason. Accordingly, such fear is said to befall a man of steady character. But no fear can induce someone to commit a mortal sin in accordance with right reason, since no evil that one faces could be greater than mortal sin, since no suffering is worse than mortal sin.

26 But the case is not so clear when it comes to venial sin. I shall discuss that elsewhere.[8]

[7] Reading *ut si quis manu mea percutiat, quod posset facere similiter manu aerea* (Q) for the edition's *utpote si quis manu mea percutiat, quia ita posset facere manu aerea* (A).

[8] Scotus raises the question at *Reportatio* IV A d. 29 q. un. n. 9 but does not answer it.

39

Ordinatio IV, d. 33, q. 1

"Was plural marriage ever licit?"

Regarding question 1, arguments for the negative: 4

Plural marriage is contrary to the natural law and contrary to the original institution of marriage. This is proved from what is said in Genesis 2:24, "They shall be two in one flesh," which expressed the natural law concerning marriage; therefore, it neither is nor was licit for someone to have more than one wife. It is also proved from an interlinear gloss on Genesis 4:19 concerning Lamech, who "took two wives." The Gloss says that Lamech "was the first to introduce plural marriage, which is contrary to the natural law."

Also, it was never licit for a woman to have two husbands;[1] therefore, it was also never licit for a man to have two wives. Proof of the inference: a man and a woman are judged equal with respect to conjugal acts according to 1 Corinthians 7:3–4. 5

Arguments for the affirmative: 6

According to Genesis 16, Abraham had Sarah and Hagar and Keturah;[2] and we read in Genesis 29:18–30:24 that Jacob had two wives and in 2 Kings 5 that David had many wives and concubines. Now it is not probable that these holy patriarchs did something illicit in entering into such marriages. Therefore, etc.

Also, Augustine endorses this view near the end of *On the Good of Marriage* [25.33]: "For the righteous men of old it was not a sin to have recourse to more than one woman, nor were they acting contrary to nature in this, since they did so for the sake of begetting children. It was contrary neither to law nor to morals, since in those days it was not prohibited by any law." 7

I. Reply to the question

The first thing we need to investigate here is what is required for strict commutative justice in the marriage contract on the part of the contracting parties, and what, 8

[1] I omit Scotus's *biviria, ut ita loquar*, which suggests a nonce-word on the model of *bigamia* ("plural marriage"), but substituting *vir*, "man," for *gam-* (from the Greek *gamos*, "marriage").

[2] Genesis 11:29, 16:1–15, 25:1–2.

beyond that, is added for complete justice in such a contract on the part of a superior. The second is what in a given case suffices for justice as far as the topic of this question is concerned, and how such a contract becomes sufficient and completely just.

A. What is required on the part of the contracting parties for strict commutative justice in a marriage contract

9 On the first topic I say that in every exchange, as far as the parties to the exchange and what they exchange are concerned, strict justice requires that what they exchange be of equal value, to the extent possible, for the end on account of which the exchange is made.

10 Now the exchange in the marriage contract is made for two purposes: the procreation of children and the avoidance of fornication.

11 A man's body is of greater value than a woman's for the first purpose, since in a given period of time one man can impregnate many women, but one woman cannot conceive by as many men. So as far as this end is concerned, plural marriage—such that a man exchanges his body for the bodies of as many women as he can impregnate, in such a way as a man can impregnate them—is evidently in accord with strict justice.[3] Yet there would not have been plural marriage in the state of innocence, when marriage was strictly for the purpose [of procreation], since there was no necessity[4] then that a man should exchange his body with many women for the sake of procreating, since there would have been sufficient procreation through the simple exchange of one man and one woman, since neither man nor woman would have been sterile then.

12 With respect to the second end, that of avoiding fornication, which applies only in the state of fallen nature, a man's and a woman's body are of equal value.

13 And therefore, in the state of fallen nature, strict justice in the marriage contract as considered in relation to both ends requires the exchange of one body for one body.

14 I add that there is no completion of justice in this exchange apart from the authority of a superior who institutes or approves such and such an exchange. For even if inferiors have ownership of certain things, it is the lawgiver who licitly determines whether such and such an exchange is just,[5] and all the more so in the present case as

[3] A alone of the collated MSS adds the following sentence: "Hence, it is not contrary to nature in other animals that one male has more than one female."

[4] Reading with PZN. The edition, following A, has "Yet there was not and would not have been plural marriage in the state of innocence, when marriage was and would have been strictly for the purpose [of procreation], since there would have been no necessity."

[5] Reading *tamen commutatio earum licite determinatur talis vel talis iusta a legislatore* (ZN) for the edition's *tamen commutatio earum licita, talis vel talis, determinatur iusta a legislatore* (A).

regards the mutual exchange of bodies with reference to the lawgiver who is God. Now in both the state of innocence and the state of fallen nature God instituted the rule that this exchange of bodies should be of one body for one body, and so complete justice consists in that.

B. What suffices for justice in a given case, and how such a contract becomes sufficient and completely just

On the second topic I say that a dispensation is a clarification of a law or a revocation of a law. For God could clarify his law concerning this exchange or revoke it in a given case—and reasonably so in a case in which revoking the law produces a greater good than observing it. 15

Now at a time when it was necessary that the human race be increased, either unqualifiedly or for the sake of the worship of God—because there were few worshipers of God, so it was necessary that the worshipers of God have as many children as possible, since faith and the worship of God endured only in them and their posterity—it was reasonable for God to make a dispensation and allow one man to exchange his body for the bodies of more than one woman so that there might be a greater increase in worshipers of God, and such an increase would not take place without such a dispensation. And in fact he did make such a dispensation, as we presume in the cases of Abraham and certain other patriarchs. 16

As for how justice in the marriage contract on the part of the contracting parties was preserved under this dispensation, I explain that as follows. When something is ordered toward two ends, a primary end and a secondary end, it is reasonable to make use of that thing in a way that is more conducive to the primary end even if that detracts somewhat from the secondary end. For example, food is efficacious for both pleasure, which is secondary, and nutrition, which is primary. According to right reason one should make use of food in a way that is more efficacious for nutrition, even if that is less efficacious for pleasure. 17

Now the marriage contract is both for repaying the marriage debt, so that one avoids fornication, as its secondary end, and for the good of offspring, as its primary end. Therefore, according to right reason those who enter into the marriage contract ought to make this exchange in a way that is more efficacious for procreation, even if it is less efficacious for repaying the marriage debt. And this is done by exchanging the body of one man for the bodies of more than one woman. And as this is absolutely to be done, so in a case of necessity—when, that is, the primary end is extremely urgent—it is to be done necessarily; and in such a case the secondary end should be more or less disregarded. 18

And it is clear from this how there is justice on the part of the contracting parties, because according to right reason each party ought to will to yield something of his or 19

her own right in exchanging and in receiving what is exchanged[6] with respect to the secondary end in order to receive something equivalent with respect to the primary end—which each of them ought to desire more—even if that means giving up something in the exchange that it is disadvantageous to give up. And sometimes this is necessary in a given case, namely, when one is bound to give up such a thing. And it is licit to carry this out, and one ought to do so when it is ordered by a superior. This is evident because Sarah in Genesis 16:1–4 more or less forced Abraham to go in to Hagar, her handmaid, so that he might have by her the son that he could not have by Sarah.

20 You might object that in modern times this would be illicit plural marriage.[7] I reply that even if it is illicit because the Lawgiver has not given such dispensation for the present time—indeed, Christ has restored the natural law, "They will be two in one flesh," in Matthew 19:5–6—nonetheless, if we are speaking of justice on the part of the contracting parties and on the part of the contract itself, the reason it is not licit now is that the primary end is not now urgent, since many believers engage in procreation, and their children are directed to the worship of God and are brought up religiously. And for that reason the faith is multiplied without any such contract. So, given that there is no longer any need to detract from the secondary end because of the urgency of the primary end, the marriage contract ought to be carried out in such a way that justice is observed in terms of both ends; and this is done best when one husband has one wife.

21 Still, if because of war or disaster or plague a great many men died but many women remained alive, plural marriage could be licit now, having regard strictly to justice on the part of those making the exchange and the exchanges themselves, and indeed the women ought, for their part, to be willing to exchange more for less in terms of the secondary end but equal for equal in terms of the primary end; and in such a case a woman ought, according to right reason, to will that the good of offspring should come about through her husband's intercourse with another woman. And in such a case all that would be lacking would be the completion of justice, which derives from divine approval, which might perhaps be given and specially revealed to the church.

II. Replies to the preliminary arguments

22 Replies to the arguments:

To the first argument [n. 4] I say what I said in distinction 17 [n. 19]: there are two ways in which something is said to belong to the natural law. The first is that it is a

[6] Reading *in perceptione commutati* (Q). The edition has *percipiendo* (A); ZN read *recipiendo*.
[7] Reading *esset bigamia illicita* (ZNQ) for the edition's *esset bigamia et illicitum* (A).

practical truth in an unqualified sense, known unqualifiedly by the light of natural reason. The highest level here is that of a practical principle known from its terms, and the next is that of a conclusion demonstrated from such principles. But a truth that is, as a rule, consonant with the natural law in the first sense belongs to the natural law in a secondary sense.

There is no dispensation from the first, and therefore an act opposed to such a truth is evidently always a mortal sin. There can be dispensation from the second in a case in which the opposite would seem to be generally consonant with the natural law. Now monogamy belongs to the natural law, and plural marriage is contrary to the natural law, only in the second sense. Accordingly I concede the claims drawn from Genesis 2 and the Gloss on Genesis 4. 23

And yet it does not follow from this that the opposite cannot be licit in some case. Indeed, in a certain case—when right reason dictates that the exchange should be made in another way, and when there is a divine commandment in force—it is necessary for justice as regards both the exchange and those making the exchange.[8,9] 24

Nevertheless, one can concede absolutely that Lamech sinned mortally, because he sinned against the natural law. And granting that it was against the natural law in the second sense, he sinned, I say, by having more than one wife when it was not a case in which right reason dictated that that law was to be revoked and the superior dispensed from the law, but in fact the opposite of both was true. 26

To the second argument [n. 5] I say that it was never just on the part of those making the exchange or on the part of the exchange itself[10] for the parties to make the exchange in a way that is less efficacious for the primary end and more efficacious for the secondary end, since the more principal end ought to be willed more. Now polyandry would be more efficacious for the secondary end and far less efficacious for the primary end, since one woman cannot be impregnated by more than one man at the same time. 27

In reply to the argument for the affirmative [n. 6]: although we presume that certain holy patriarchs did not sin in contracting plural marriages, because both justifications 28

[8] Reading *et considerando iustitiam ex parte commutationis et commutantium* (PZN) for the edition's *et commutando iustitiam ex parte commutantium et commutationum* (A).

[9] The edition adds a paragraph found only in A:

> I say that the authoritative passage "they will be two in one flesh" should be understood as follows: they will be one flesh by reason of the offspring that is generated from both parents; and thus having more than one wife is not contrary to the original institution of marriage. Or it can be said, etc. 25

[10] Reading *numquam fuit iustitiae ex parte commutantium vel commutationis* (Q) for the edition's *numquam fuit—ex parte contractus—iustitia inter commutantes* (A): "there was never justice on the part of the contract between those making the exchange." The difference is not perhaps great enough to warrant the adoption of a variant reading.

for doing so—the necessity on account of which such marriages were justly to be contracted, as well as the approval and command of the divine authority—obtained at that time, I don't find it untenable if some of them sinned mortally by contracting such marriages without one or both of those justifications, since I do not think that they were confirmed in goodness.

40

Ordinatio IV, d. 33, q. 3

"Was it licit under the Mosaic Law to divorce one's wife?"

Concerning divorce, I ask whether it was licit under the Mosaic Law for a man to divorce his wife. 64

Arguments for the affirmative: 65

Deuteronomy 24:1: "If a man takes a wife, and she does not find favor in his eyes on account of some indecency, he shall write her a bill of divorce and put it into her hands and dismiss her from his household."

Also, Malachi 2:16: "Since you hate" your wife, "dismiss" her, "says the Lord God of Israel." 66

Also, *Decretals*, "On the rules of law":[1] "By whatsoever causes a thing comes into existence, by those same causes it is dissolved." Now marriage comes into being through mutual consent; therefore, it can be dissolved through mutual dissent. 67

Also, in distinction 34, *Si quis uxorem*:[2] "If the wife of a married cleric commits adultery, he should dismiss her, having given her a bill of divorce." Therefore, divorcing one's wife is licit even under the Law of the Gospel. 68

Arguments for the negative: 69

Divorce is evidently contrary to the natural law that Adam promulgated in Genesis 2:24, "A man shall cleave to his wife," from which Christ draws the conclusion, "What therefore God has joined together, let not a human being separate."[3]

Also, the marriage contract is essentially an irrevocable relinquishment of power over one's body to another in exchange for power over the other's body; therefore, no temporary accommodation or relinquishment can be marriage. But if divorce were licit, there would be only a temporary relinquishment; for if the contract were in fact permanent, the divorced woman would remain a wife, and in that case she would be 70

[1] Gregory IX, *Decretales* V tit. 41 'De regulis iuris' c. 1.
[2] Gratian, *Decretum* pars 1 d. 34 c. 11. [3] Matthew 19:6.

dismissed illicitly. So it follows that if divorce was licit under the Mosaic Law, there was no marriage under the Mosaic Law.

71 Also, it was never licit for a woman to divorce her husband; therefore, neither was the converse ever licit. For a man and a woman are to be judged as equals in matters that pertain to marriage.

I. Reply to the question

A. The first view

72 One view on this topic[4] is that it was illicit under the Mosaic Law to divorce one's wife.[5]

73 This is proved, first, by the authority of Christ, who rejects divorce in Matthew 19:9: "I say to you that whoever dismisses his wife, except because of fornication, commits adultery; and one who marries her commits adultery."

74 It is also proved by the argument that Christ offered on his own account, which is this: from the beginning God joined male and female in marriage. He proves this from Adam's words and adds, "What therefore God has joined together, let not a human being separate."[6]

75 It is also proved, third, on the basis of Christ's reply to the Pharisees' question: "For when they objected, 'Why then did Moses command that one give a bill of divorce and dismiss her?' he said to them, 'Because Moses, having regard to the hardness of your hearts, permitted you to dismiss your wives; but from the beginning it was not so.'"[7] The interlinear Gloss comments on "Moses permitted": "not God."[8] And the Gloss says that "this was a human plan, not a divine command."[9] And the Master says in this distinction, chapter 2,[10] that this was permitted by Moses, "not to make room for divorce, but to prevent murder."

76 Also, Augustine says in *On the Lord's Sermon on the Mount* [I.14.39], "The one who commanded that a bill of divorce be given did not command this so that the wife

[4] Both this view and the arguments given for it in nn. 73–7 are relayed by Richard Middleton, *Sent*. IV d. 33 princ. 3 q. 1 in corp. and ad 1. Richard also relays the second view (n. 78) but says that the first view is "more common and better-established (*securior*)." Supporters of the first view include William of Auxerre, *Summa* IV tr. 17 a. 1 in corp.; Bonaventure, *Sent*. IV d. 33 a. 3 q. 2 arg. 1 in opp. and in corp.; Thomas Aquinas, *Sent*. IV d. 33 q. 2 a. 2 qc. 2 ad 5; Peter of Tarentaise, *Sent*. IV d. 33 q. 3 a. 1 in corp.

[5] The edition, following A alone, adds, "and that someone who married a divorced woman sinned mortally because he approached an unclean woman, since evidently she was divorced only because she was unclean. Yet that sin was not punished under the Law. Rather, it was permitted in order to forestall murder, so that men would not kill their wives. And thus this lesser evil was permitted in the Law in order to avoid a greater evil."

[6] Matthew 19:4–6. [7] Matthew 19:7–8.

[8] *Glossa interlin*. Matthew 19:8. [9] *Glossa ordin*. Matthew 19:8.

[10] So Richard Middleton gives the reference, but it is actually Lombard, *Sent*. IV d. 33 c. 3.

would be dismissed; rather, he says, 'Let the one who would dismiss her give her a bill of divorce' so that the thought of writing the bill would moderate the rash anger of the one who wanted to dismiss his wife." This can be understood from something that Ambrose commanded the emperor Theodosius concerning a certain atrocity carried out impetuously at his command.[11] Ambrose instructed the emperor to make it a law that no minister of his should carry out his cruel commands within thirty days, so that perhaps during that time his anger would abate and he would moderate his judgment. For this same reason Plato, as Jerome tells us, told someone, "I would punish you if I were not angry."[12] And Augustine adds, in the passage quoted earlier, "The one who sought a delay in dismissing a wife showed—so far as he could show it to hardhearted human beings—that he did not want divorce."[13]

Also, *Decretals*, "On divorces," *Gaudemus*: "In the Gospel, Truth rejected divorcing 77
one's wife."[14]

B. The second view

1. EXPOSITION OF THE VIEW

Another view[15] says that the giving of a bill of divorce and divorcing one's wife were 78
licit in the time of the Law of Moses, because Moses proclaimed the Law of God. And so those whom he joined together as lawgiver and proclaimed [to be married], God also joined together; and those whom he separated, God also separated. Moreover, God can separate those who are joined in marriage.

Also, in his first letter to Jerome (cited in the *Decretum*, distinction 9),[16] Augustine 79
asks, "If any serviceable lies[17] were allowed into the Holy Scriptures, what authority would remain in them?"—in effect giving the answer, "None." And the reason is that whatever authority one might appeal to in order to refute a heretic, he will reply that it is a humorous[18] lie, just like that other passage [that is acknowledged to be a lie]. Therefore, by analogy, [if any explicit command in Scripture lacks prescriptive authority,] no command in Scripture will have any authority.[19]

And reasoning in a very similar way about very similar matters, if any counsel given 80
in Scripture were not salutary and useful to observe, no counsel given in Scripture

[11] The story is told in Cassiodorus, *Historia tripartita* IX c. 30.

[12] Jerome, *In Ioelem* 1, 5, attributes to Plato's friend Archytas of Taranto the statement, "I would kill you if I were not angry."

[13] *De sermone Domini in monte* I.14.39.

[14] Gregory IX, *Decretales* V tit. 19 c. 8.

[15] Albert the Great, *Sent*. IV d. 33 a. 25.

[16] Augustine, *Epist*. 40.3.3 (to Jerome).

[17] For the threefold division of lies into serviceable (*officiosum*), harmful (*perniciosum*), and humorous (*iocosum*), see *Ord*. III d. 38 q. un.

[18] The edition adds "or serviceable" (A).

[19] Reading *igitur, a simili, in Scriptura nulla auctoritas praescriptiva auctoritatem habebit* (Q, with which PZN agree in essentials) for the edition's *ergo, a simili, si in Scriptura aliqua non habeat, nulla auctoritate praeceptiva in Scriptura auctoritatem habebit* (A). The editors instruct us to supply *haereticus* as the subject for *habeat*.

would be authoritative. Therefore, by analogy, if Scripture makes a concession to something illicit—for example, this concession [of divorce]—it follows that no concession given in Scripture will show authoritatively that what is conceded is licit.[20]

81 Also, a just law should not directly give an occasion for sinning mortally. But clearly this concession was directly an occasion for the Jews to dismiss their wives; for if that had not been written, they would not have dismissed their wives any more than the patriarchs before the Law of Moses did. Therefore, either [dismissing one's wife] was not a mortal sin or the Law was not just.

2. EXAMINATION OF THE VIEW

82 A possibly tenable version of this view is as follows: there is no complete justice in this exchange or in the marriage contract apart from divine ratification, even if, before such ratification, what suffices for justice on the part of the exchange and of the ones making the exchange is present; and whenever such justice can be found in an exchange, it is reasonable that God ought to ratify it. Now the exchange of the body of one man for the bodies of many women is just, when such an exchange is necessary for the procreation of offspring, and so God justly made a dispensation in favor of plural marriage—indeed, he approved it—on the grounds that a greater good would come from plural marriage than from the exchange of one woman for one man; and those making the exchange ought, in accordance with right reason, to have willed such an exchange. In the same way, in the case at hand, God was able to give a dispensation for making a marriage contract that was limited as to time—until a woman should be displeasing to her husband—in order to avoid an evil that is greater than the indissolubility of marriage is a good.

83 And in a certain way justice is preserved in this, because the contracting parties ought to will such an exchange not only for the sake of attaining a greater good but also for the sake of avoiding a greater evil. Now uxoricide is a greater evil (*malum*) than the good of indissolubility, since uxoricide is a harm (*malum poenae*) to the murdered wife and a grave wrongdoing (*malum culpae*) on the part of the one who murders her. It would also be an evil to the commonwealth as a whole because it would be an occasion of perpetual disharmony and strife on account of the anger of the wife's parents against her killer. And families would be constantly torn apart, since after the man is killed either by his adversaries or by the law, that family and the children's upbringing would be destroyed.

[20] The edition, following A alone, adds, "For as a concession is to what is licit, so a command is to what must be done, and an exhortation or counsel is to what is useful. For just as a command does not concern something that need not be done, so also a concession does not concern something that cannot be done licitly."

So accordingly one could say that just as God gave a dispensation for plural marriage for the sake of a greater good, so also he gave that people a dispensation for divorce for the sake of avoiding a greater evil.[21] 84

C. Replies to the arguments for the first view

And then one could respond to the arguments offered for the first view [nn. 73–7] that Christ proclaimed this for the time of his Law, the Law of the Gospel. Thus, just as he restored marriage to the way it had been instituted in the natural law (namely, that it should be of one man with one woman, though plural marriage was licit under the Mosaic Law), he also restored unqualifiedly perfect marriage (that is, indissoluble marriage) by his Law as it had been instituted in the natural law. Thus by his Law he invalidates the marriage contract that was licit under the Mosaic Law, which was a temporary arrangement for the procreation of children, lasting until the woman should become displeasing in the eyes of her husband—in just the same way that Christ voided many other imperfections that were licit under Moses by restoring to perfection the things in his Law that were going to be preserved.[22] 86

As for the proof drawn from the words of Christ [n. 75], it is clear that he was speaking of the natural law. And it was sufficient to refute the Pharisees to show that they did not sufficiently observe marriage as it was in the natural law. He also showed that it was reasonable for him to establish inseparability in his Law, because this was consonant with the original institution of marriage in the natural law. 88

As for the further point drawn from Christ's reply to the Pharisees, "God permitted this because of the hardness of your hearts," which many[23] consider to have been 89

[21] The edition, following A alone, adds:

> And on this basis it can be said that, since the good wine of marriage is indissolubility and permanent obligation, no marriage among the Jews was perfect, since their marriage contracts were always conditional, given the [possibility of] a bill of divorce. But this good—the indissoluble union—exists in marriage under the New Law; and beyond that is a further good, the signification of the union of Christ and his Church, which is a union of one with one. Now in marriage under the natural law (say, in the case of Abraham) there was the first perfection or good, namely indissolubility, but not the second, that of having only one wife. Under the Mosaic Law, by contrast, when there was divorce and one man had more than one wife, neither perfection of marriage existed, since it was not a union of one with one and it was not unqualifiedly indissoluble; but this was done by divine dispensation. 85

[22] The edition, following A alone, adds:

> And therefore, ever since the Gospel was proclaimed, it has been damnable to have more than one wife or to dismiss one and marry another; but it was not damnable before then. That is what those who uphold this view would say.
>
> And therefore from that time forward, according to this view, the Jews have been bound not to have two wives, but only one, and not to be separated in any way from that one wife. 87

[23] Peter Lombard, *Sent*. IV d. 33 c. 3; William of Auxerre, *Summa* tr. 17 q. 4 c. 4 a. 1 in corp.; Bonaventure, *Sent*. IV d. 33 a. 3 q. 1 ad 3, q. 2 in corp.; Thomas Aquinas, *Sent*. IV d. 33 q. 2 a. 2 qc. 2 in corp.; Peter of Tarentaise, *Sent*. IV d. 33 q. 3 a. 1 in corp.; and others.

only permission, not concession, I say that by 'permitted' Christ meant[24] that Moses did not command this, or even advise or approve it, but that he did not prohibit it, as something licit in view of a certain necessity. And this is not a deceptive permission of something illicit—for that would be equivalent to saying that Moses permitted them to go to their own damnation by not disclosing to them that this was a path to damnation but in fact insinuating the opposite, which no lawgiver can do justly, even in the case of human laws, which leave many evils unpunished, according to Augustine in *On Free Choice of the Will* I.6.14. And if a lawgiver does not punish every evil, and permits an evil in the sense that he does not punish it, he nevertheless does not in any way concede that evil in his law. Hence, a human law that prescribed anything contrary to that law would be unjust.

90 As for the additional claim that this was "because of the hardness of your hearts" [n. 75], that doesn't show that it was illicit. For the hardness of those subject to a law is frequently a cause for some relaxation of the law for them, though the law would not be relaxed otherwise and—if only they were tractable—it would be useful for the law not to be relaxed. For example, suppose a prelate sees that his college is prone to *x*, whereas it would be honorable to practice the opposite of *x*. Even if it would be useful for the prelate to establish the opposite of *x* as a law if those subject to him were easily led, nonetheless, he can very well refrain from establishing it; or, if it has already been established, he can very well relax the law, and honorably so, so that they will not sin again and again with that requirement remaining in force.

91 As for those glosses:

The first should evidently be denied, because Moses as lawgiver was strictly God's mouthpiece. But someone who wants to expound them can say "It was Moses who permitted; it was not God who did so by giving a commandment directly to Moses among the other commandments." Hence, we never find in the first four books that God gave this commandment to Moses or to anyone else; hence, this is more strictly from Moses, like all the other things that are in Deuteronomy and nowhere else, than are the things that God said elsewhere to Moses. And this is a suitable reason: these relaxations pertain to human effort, and as such God did not will to include them in Scripture as things uttered by himself, but rather[25] by his servants. For the same reason God did not immediately and through himself say that Moses, who sat all day long to judge the people, should be relieved of his work; instead, Jethro, Moses's kinsman, said this, as something pertaining to human effort.[26]

92 As for the other gloss, it is easy to see that it does not contradict this view. For it is true that God didn't command anyone to dismiss his wife; rather, he commanded

[24] Reading *dico quod Christus 'permisit' intelligit quod* (PZNQ) for the edition's *dico quod Christus* permisit*, per quod intelligit quod* (A).

[25] Reading *sed* (NQ) for the edition's *sicut* (APZ).

[26] Cf. Exodus 18:13–27.

that *if* someone dismissed his wife, he should give her a bill. But this was a "human plan," not in the sense that it was from a human being, but as coming from the mouthpiece of the divine law.

As for the argument from Augustine [n. 76], I concede that by the delay that God required for writing the bill, he implied that such a dismissal was displeasing to him in an absolute sense. So it is not merely that someone who did not dismiss his wife acted better than someone who did, but also that someone who dismissed his wife acted badly—and yet not so badly that he sinned mortally against marriage, as he would have done if he had not been given permission by the law. 93

As for "On divorces" [n. 77], the reply is clear in the answer to the first argument [n. 86]: it is true that Christ rejected divorce in the era of his Law. 94

II. Replies to the preliminary arguments in favor of the first view

As for the preliminary arguments for the first view: 95

The reply to the first [n. 69] is clear from the answer [nn. 86–8].[27]

As for the second argument [n. 70], I concede that marriage without qualification is a permanent obligation. But marriage in a certain respect can be a firm obligation for a certain time, even if it is not permanent. And in this sense I concede that in the Mosaic Law there was no marriage without qualification, except perhaps if someone willed to surpass the perfection of the Law by obligating himself permanently, which was not required of him insofar as he was contracting marriage under that Law. 96

Alternatively, one could say that if there was in fact perfect marriage, or marriage without qualification, then there was also an indissoluble obligation. This is true, except if the Lawgiver revoked this requirement or made a dispensation from it. And he did in fact make a dispensation for cases in which a woman was so displeasing to her husband that there was reason to fear uxoricide.[28] And as I explained earlier 97

[27] The edition, following A alone, adds:

> As for the claim that it is against the natural law for "what God has joined together" [to be separated by human agency] [n. 69], I say that it is not against the natural law, because, on this view, it is neither against principles of the natural law nor against conclusions deduced immediately from principles that such a temporary contract should be made. Nor is it unqualifiedly against the upbringing of offspring, for God could have ordained things otherwise concerning the upbringing of offspring, though not as fittingly as he in fact has done. Nevertheless, [temporary marriage contracts] would have been against a certain good that is consonant with the natural law, namely, indissolubility. And God could make a dispensation contrary to such a good in order to avoid a greater evil.

[28] Reading *nimis displicebat viro ut timeretur uxoricidium* (Q, from which PZN differ only in ways that do not affect the sense) for the edition's *nimis displicebat viro suo, in tantum quod timeretur uxoricidium* (A).

[d. 31 n. 22], [there is also a dispensation] regarding a marriage that has been made but not consummated; such a marriage is dissolved upon [one partner's] entrance into religion, and yet it was marriage without qualification and not merely a temporary arrangement. But in the latter sort of case the Lawgiver made a dispensation for the sake of attaining a greater good, whereas in the former sort of case it was for the sake of avoiding a greater evil.

98 As for the third argument [n. 71], the cases are not similar, because the basis for a dispensation is not similar. For there is not so much reason for fear[29] if a woman hates her husband as there is if a man hates his wife, since her very sex restrains a woman from exacting revenge outwardly more than it restrains a man.[30]

III. Replies to the preliminary arguments for the second view

99 Someone who wants to uphold the first view can easily reply to the arguments for the affirmative.

One could say that the authoritative passages from Deuteronomy and Malachi [nn. 65–6] permit a lesser evil, though still a mortal sin, lest an even more serious mortal sin be committed.

100 To the second argument [n. 67] one could say that that rule is true strictly of dissoluble things, and this obligation is not such a thing. One could also reply to the minor premise by saying that this obligation arises from the wills of the contracting parties as instrumental cause but from divine approval as principal cause, and this rule should not be understood as applying to instrumental causes. That is why Christ[31] in Matthew 19:6 drew his conclusion about the indissolubility of marriage from its principal cause: "What God has joined together[, let no human being separate]."

[29] Reading *non tantum enim timeretur* (Q); alternatively "For there is not reason to fear as great an evil" (*non enim tantum malum timetur*) (PZN). The edition reads "For it is not as bad" (*non enim tantum malum est*).

[30] The edition, following A alone, continues:

> just as there was also a concession for one man to have more than one wife for the sake of procreation, whereas there was no such concession for a woman, since it would be contrary to the good of procreation for one woman to have more than one husband. And thus in neither of these cases are men and women relevantly similar.

[31] Reading *Christus* (Q) for the edition's *Deus*.

41

Ordinatio IV, d. 46, qq. 1–3

"Is there justice in God?"
"Is there mercy in God?"
"Are justice and mercy distinct in God?"

"What follows now concerns the very wicked."[1,2] 1

Because distinction 46 deals with God's justice and mercy as they work together in the punishment of the wicked, there are four questions: First, is there justice in God? Second, is there mercy in God? Third, are justice and mercy distinct in God? Fourth, does justice work together with mercy in the punishment of the wicked on the part of God as the one punishing?[3] 2

Question 1: "Is there justice in God?"

On the first question, arguments for the negative: 3

According to *Ethics* V.11 [1134b9–11], "There is no justice on the part of a master toward a servant," because there is no equality. *A fortiori*, there is no justice on the part of God toward a creature, or vice versa, because he is the Master entitled above all others to say to his servant, in the words of 1 Corinthians 4:7, "What do you have that you have not received" from me?

Also, according to *Ethics* X [1178b8–27], it is absurd to praise the separated substances for exercising the virtues, and he makes this case for justice in particular [V.3, 1129b25–1130a9]. He confirms the point by argument from a similar case: there is no temperance in God; therefore, similarly, there is no justice in God. 4

Also, justice inclines one to repay what one owes; but God owes no one anything. 5

On the contrary: from Psalm 47:11, "Your right hand is full of justice." 6

[1] Reading *Sequitur hic de valde malis* (PNQ) against the edition's *Sed quaeritur hic de valde malis* (AZ).
[2] Lombard, *Sent*. IV d. 46 c. 1 n. 1.
[3] Only the first three questions are included here.

I. Reply to the question

A. Divine justice: its definition and distinctions

7 First, concerning the definition of justice:

8 Anselm gives the most general definition of justice in *On Truth* 12: "justice is rectitude of will preserved for its own sake."

9 This definition is made more specific to capture the notion of justice as Aristotle discusses it in *Ethics* V [1129b30–1130a9]. He adds—over and above Anselm's definition—that it is "toward another."

10 It is clear that justice, understood in either of these ways, characterizes God. For (to take the first definition) God has rectitude of will—indeed, a will that cannot deviate from rectitude—because his will is the first rule; and [his rectitude of will] is preserved for its own sake, not in a sense of 'preserved' that implies that the one preserving takes on something or undergoes something, but 'preserved for its own sake' in the sense that his rectitude is always spontaneously possessed for its own sake.

11 And it is clear that he has justice in the second sense as well, since he can have rectitude toward another, and so in every action of his toward another there is rectitude.

12 This second justice is subdivided. Either it is quasi-universal justice toward another, for example, toward the legislator or the law, insofar as a certain rule is determined by the legislator (some call this "legal justice"[4]), or it is particular justice toward another, for example, in some determinate matter pertaining to the law.

13 This second subdivision is further subdivided, since it can be either toward one who is unqualifiedly another or toward oneself as if to another. The second disjunct is evident from what I said in the material on penitence,[5] namely, that there is punitive justice not only toward one who is unqualifiedly another but toward oneself as if to another, because the confessor, as an agent of the Judge, is entrusted with punishing himself as one who is guilty.

14 The first of these, legal justice, could be attributed to God if there were any law prior to the determination of his will, such that his will would rightly conform to that law, and to that legislator as if to another. And there is in fact this law: "God is to be loved"—if, indeed, that should be called a law and not a practical principle of law; it is, at any rate, a practical truth that precedes any determination on the part of the divine will.

[4] Thomas Aquinas, *Sent. Eth.* V c. 2; *ST* I-II q. 70 a. 3 ad 2.
[5] *Ordinatio* IV d. 14 n. 154, d. 16 nn. 18–24.

Now particular justice to oneself as if to another is in God because his will is determined by rectitude to will that which befits its own goodness. And this is a sort of paying back what he owes to himself—that is,[6] to his own goodness—as if to another—if, indeed, this can be called particular, since it is universal in a way, namely, virtually. 15

And these two disjuncts, legal justice and particular justice to oneself as if to another, are quasi-identical in God, because they are the rectitude of the divine will with respect to its own goodness. 16

So now we can discuss the last division: justice that is unqualifiedly toward another. This is divided into commutative and distributive, which is how justice is distinguished in us, as is clear from *Ethics* V [1130b10–1131a9]. What is required for distributive justice is equality of proportion, not of quantity; what is required for commutative justice (according to some[7]) is equality of quantity and not merely equality of proportion. (These things are expounded there.[8]) 17

As applied to the present question: commutative justice properly concerns punishment and reward, such that rewards are given as if in exchange (*quasi commutando*) for merits and punishments for sins. 18

Distributive justice concerns natures[9] and superadded perfections, such that perfection proportionate to a nature is distributed to that nature. Just as in human distributive justice the goods that pertain to various statuses are distributed proportionally to persons according to their status in the republic, so too in the hierarchy of the universe, the Hierarch, God the Ruler, distributes to a nobler nature the nobler perfections that are appropriate for such a nature and to an inferior nature the perfections that are appropriate for it. 19

Commutative justice cannot exist in God in an unqualified sense with respect to a creature, because there cannot be unqualified equality; but there can be equality in a way, according to proportion, as between a master and servant. For it is fitting for a generous master to reward his servant with a greater good than the servant can deserve, provided that there is a proportion of this sort: just as the servant does what is his to do, the master gives in return what is his to give. And in the same way it is fitting for the master to punish less than the servant deserves. 20

Distributive justice, by contrast, can exist in God in an unqualified sense, because God can unqualifiedly give natures the perfections that are due them or appropriate to them according to their degree of perfection. 21

[6] Reading *id est* (PZNQ) for the edition's *et* (A).
[7] Thomas Aquinas, *Sent*. IV d. 46 a. 1 a. 1 qc. 1 in corp.
[8] Ibid. and Thomas Aquinas, *ST* I q. 21 a. 1 in corp., II-II q. 61 a. 2 in corp., *Sent. Eth*. V c. 4.
[9] The edition has *Distributiva respicit quasi naturas*. I have followed Q in omitting *quasi*.

22 Thus only two of the subdivisions of justice as a whole [in nn. 10–17] can belong to God: the first sort of justice is the rectitude of the divine will as ordered to what befits the divine will itself, and the second is the rectitude of the divine will as ordered to what is demanded by a creature.[10] This distinction can be drawn from Anselm, *Proslogion* 10, where he says, speaking to God, "When you punish the wicked, it is just, because this accords with their merits." As to the second sort of justice, he immediately adds, "When you spare the wicked, it is just, not because it befits their merits but because it befits your goodness."

23 The distinction between these two sorts of justice is said to be so great that God cannot act contrary to or outside the bounds of the first justice, but he can act outside the bounds of the second, though not universally, since he cannot damn one who is just or blessed.

24 Someone might object[11] that there cannot be two distinct justices in God, because if there were, one (the first) would be the rule and the other (the second) would be ruled by it, whereas in fact there can be no ruled rectitude in the divine will. And this is proved in our case: that which inclines to our proper end is one and the same as that which inclines to things that are for the end qua for the end; therefore, if that which inclines to the end were unqualifiedly perfect, it would incline in an unqualifiedly perfect way to things that are for the end, as is evident in the case of the charity of the blessed. Now the first divine justice is unqualifiedly perfect; therefore, no other justice in addition to that first justice is required in the divine will.

25 As for the claim that God sometimes cannot act outside the bounds of his second justice [n. 23], that does not seem probable, because God can, without qualification, do—and thus will—anything that does not involve a contradiction. Now he cannot will anything that he cannot will *rightly*, since his will is the first rule. Therefore, God can rightly will whatever does not involve a contradiction. And thus, when this second justice determines the divine will to something the opposite of which does not involve a contradiction, God can will, and rightly will, [the opposite,] and can act outside the bounds of that second justice.

26 As for the first argument [n. 24], [the defenders of this view[12]] might well concede that there is not a twofold justice in God, but only a single justice that nonetheless has, as it were, distinct effects: willing in conformity with what befits its own goodness and willing in conformity with the demands of a creature.

[10] *in ordine ad exigentiam eius quod est in creatura*: *exigentia* is a strong word—'demand,' 'requirement,' 'claim'—but the idea that what is in a creature could require something of God or have a claim on God is implied by the earlier description of the perfections appropriate to a creature as *debitae*, "due" or "owed." Scotus will, in any event, reject the idea that creatures have any sort of claim on God: see nn. 35, 46.

[11] Thomas Aquinas, *Sent*. IV d. 46 q. 1 a. 1 qc. 3 in corp. and ad 1.

[12] The edition says that the subject should be "the objectors," but the objectors hardly need to concede their own objection.

But the second argument [n. 25] seems quite conclusive, since the second justice could incline the divine will to anything to which the first justice inclines it, since it inclines determinately and in the manner of nature. It does not incline in such a way that the divine will can will outside its bounds and contrary to it. And thus it turns out that that there is no distinction between these two justices such that God can act outside the bounds of one but not of the other. 27

B. Scotus's answer

Without bothering to disprove these distinctions, I will answer the question briefly: there is only one justice in God, one both really and conceptually. Nonetheless, in addition to this justice one can—extending the notion of justice—identify a certain justice, or rather something just, in creatures. 28

1. JUSTICE IN GOD

To elaborate on the first point: Justice, properly speaking, is the rectitude of a will that has been habituated; consequently, it inclines quasi-naturally to another or to oneself as if to another. And the divine will does not have any rectitude that inclines it determinately to anything other than to its own goodness as if to another, for it is related only contingently to any other object, in such a way that it can incline equally to it and to its opposite. It follows, therefore, that God has only one justice: the justice that inclines him to render to his own goodness what befits his goodness. 29

And thus God also has one act—one both really and conceptually—to which this justice, which concerns his own goodness,[13] determinately inclines him. But that act has to do with many secondary objects consequently, in the same way in which I explained in Book I, d. [35, nn. 28–33 and 40–52], that the divine intellect, in addition to having one first object and one act, has to do with many secondary objects. But there is a difference between the two cases: the intellect necessarily has to do with its secondary objects, whereas the will is related only contingently to its secondary objects. And therefore not only does the act of the divine will, like that of the divine intellect, not depend on those secondary objects, but the divine will is not determined necessarily to those objects, whereas the divine intellect is determined necessarily to those objects. 30

Now if we should wish[14] to distinguish what is really one act into conceptually many acts, as in the case of the divine intellect we distinguish what is really one intellection into conceptually many intellections insofar as it goes forth to many secondary objects, I say that there are not conceptually quasi-distinct justices with respect to those secondary objects, or even one justice, however distinguished or not distinguished. 31

[13] Reading *bonitatis* (ZNQ) for the edition's *voluntatis* (AP), "will."
[14] "should wish" = *velimus* (ZNQ). The edition has *volumus*, "want."

For a habit inclines in the manner of nature, and thus determinately, to one, in such a way that a power habituated by that habit cannot tend toward the opposite.

32 But the divine will is not inclined by anything in itself so determinately that it cannot be justly inclined to the opposite of that thing: for as it can will the opposite without contradiction, so too can it will the opposite justly. Otherwise it would be able to will absolutely and not justly, which is absurd.

33 And this is what Anselm says in *Proslogion* 11: "Only what you will is just, and what you do not will is not just." Thus, if one were to posit in the divine intellect some intellective habit with respect to itself and other things, one could more justifiably distinguish conceptually distinct habits insofar as it inclines toward many secondary objects than one can in the present case; for in the former case the divine intellect is inclined to a given secondary object determinately, but that is not true in the case of the divine will.

34 Nonetheless, it can be said that this one and only justice, which inclines determinately only to the first act, modifies secondary acts, though it does not modify any of them necessarily, in such a way that it could not modify the opposite act; nor does it in some way precede the will, inclining it in the manner of nature to any secondary act. Rather, the will first determines itself to any given secondary object. And this act is modified by that first justice in virtue of the fact that it is consonant with the will to which it is adequated, just as if the rectitude of the first justice inclined [the will to that secondary object].

2. JUSTICE IN CREATURES

35 In the second way, something just is said to be in a creature in virtue of the correspondence of one created thing to another. For example, it is just on the part of a creature for fire to be hot and water cold, for fire to be above and water below, and things of that sort, because this created nature demands that as something corresponding to it. It's analogous to the way we could say in political matters that, granted that justice would exist only in the ruler, nonetheless there would in a way be something just in the things that are to be set in order by the ruler, namely, that such-and-such things should be disposed in such-and-such a way, because the things themselves, as apt to be used by the citizens, demand this.

36 But the first, intrinsic divine justice does not determine the divine will to what is just in this way: neither with respect to its first act, since that act does not have to do with such an object, nor with respect to its secondary act, since—as it concerns such an object—this justice inclines determinately, as has been explained [nn. 31–3].[15]

[15] That is, divine justice inclines determinately, and since there is no justice in God inclining his will determinately to any secondary act/object (n. 32), divine justice does not incline to any secondary

C. Problems with this definition of divine justice, and their solution

Objections to these claims: 37

First, justice[16] cannot be in any will unless it inclines in accordance with a dictate of prudence, and consequently in accordance with the conclusion of a practical syllogism. But the divine intellect does not make syllogisms, since it does not reason discursively.

Also, the divine intellect apprehends a possible action before the divine will wills it, and the will cannot be out of harmony with the intellect's apprehension. Now the intellect apprehends this possible action determinately, not indifferently as this-or-that, for if it apprehended it indifferently it would be in error. Therefore, the will wills this possible action determinately, and thus it cannot will the opposite if it is to will rightly. 38

Also, if it is just for Peter to be saved, and God wills this justly, then it is unjust for Peter to be damned. And thus if God can will that Peter be damned, he can will something unjust. 39

To the first [n. 37] I say that if in us there can be a moral virtue that inclines in accordance with the conclusion of a practical syllogism, *a fortiori* there is in us an upright appetitive habit[17] that inclines in conformity with the first practical principle, since that principle is truer and consequently more upright. Now justice in God, which is one both really and conceptually, as I have said [n. 28], inclines in conformity with the first practical principle, namely, "God is to be loved." 40

But if you insist on the strict use of terminology and say that because it does not incline in conformity with a practical syllogism it is not a special virtue, I will concede that the justice that is in God is a quasi-universal and root virtue from the rectitude of which all particular justices are apt to proceed, although not necessarily. 41

To the second [n. 38] I say that the divine intellect does apprehend a possible action before the will wills it, but it does not apprehend determinately that this action is to be done (where 'apprehend' means 'dictate'). Rather, it offers that possible action to the divine will as something neutral; and when the will through its own volition determines that this action is to be done, the intellect as a consequence apprehends "This is to be done" as true, as I explained in the material on future contingents.[18] 42

act/object at all. The reading of the Wadding edition expresses the same point rather more perspicuously: "nor with respect to its secondary act, since as it concerns a secondary object, this justice does not incline determinately, as has been explained."

[16] The edition, following A alone, has "this justice." But "this justice," given the context, would have to mean *divine* justice; and the argument that follows is clearly about justice as such, not about divine justice.

[17] Reading *habitus rectus appetitivus* (PNQ) for the edition's *habitus practicus appetitus*, "practical habit of the appetite."

[18] *Lectura* I d. 39 nn. 62–5.

43 Even granting that the intellect apprehends of something in particular that it is to be done, prior to the will's willing it—as it apprehends that God is to be loved—this does not follow by natural necessity: "the divine intellect apprehends this, and the divine will cannot be out of harmony with the divine intellect, therefore the divine will wills this by natural necessity." For the will cannot be out of harmony with the intellect in terms of the object, so that it might either will or will-against what the intellect presents as to-be-willed, but it can be out of harmony with the will in the way in which it tends toward that object—or, to put this more accurately, there is a distinction in that the intellect tends toward the object in its way, naturally, and the will in its way, freely. And powers that always tend toward the same object in their characteristic ways of tending are always in harmony with each other: thus, imagination and intellect are not out of harmony if imagination tends toward an object as singular and intellect tends toward that same object as universal.

44 To the third argument [n. 39] I say that in political matters the legislator is intrinsically concerned with what is unqualifiedly just, which is what is just in terms of the public good, but in a certain respect he is concerned with these partial justices,[19] though always in proportion to what is just in terms of the public good. And for that reason it is just in certain instances not to observe just laws concerning those partial justices—namely, when observing them would be detrimental to public justice, that is, to the well-being of the republic. In the same way, God is determined in an unqualified sense to public justice: not to a justice that is common in the sense of being an aggregate of particular justices, as is the case in a city, but to a justice that is common in the sense of eminently containing particular justices, which is what is just as befitting God's own goodness.[20] By contrast, any other justice is particular, and now this is just and now that, as it is ordered to or congruous with this [universal] justice.

45 So I say that God can will that Peter be damned, and will it justly, because this particular instance of justice, Peter's being saved, is not required necessarily for public justice, such that its opposite could not be ordered to that same public justice, that is, to the befitting of God's own goodness. For God's goodness is indeed an end that does not determinately, necessarily, require any [particular] thing for the end.

[19] In this paragraph and the next, the word 'justice' always represents the Latin *iustum*, "what is just," rather than *iustitia*. (I do this for obvious reasons of English idiom.) Note the distinction between *iustitia* and *iustum* in nn. 28, 35.

[20] This is an expansive translation of *Ita Deus simpliciter determinatur ad iustum publicum, non communitate aggregationis, sicut est in civitate, sed communitate eminentis continentiae, quod est iustum condecens bonitatem suam.* A translation as close to fully literal as possible, short of lapsing into gibberish, would be as follows: "Thus God is unqualifiedly determined to public justice, not with respect to a commonness of aggregation, as there is in a city, but with respect to a commonness of eminent containment, which is the justice befitting his own goodness."

II. Replies to the preliminary arguments

To the first preliminary argument [n. 3] I say that in God's case there is no equality in an unqualified sense except to himself, and so neither is there justice in God in an unqualified sense except to himself as if to another. But a certain sort of equality can be attributed to God: the sort of equality that there can be between a Master who is vastly greater than his servant and his much lesser servant. 46

To the second [n. 4] I say that the virtues are not in God in terms of whatever imperfection they involve, but rather with any aspect of imperfection removed. This is clear in the example given here, that of temperance. For temperance requires that the tempered nature have the capacity for some immoderate pleasure, and that is an aspect of imperfection. And for that very reason we could more properly ascribe justice to God than we could ascribe temperance, since justice does not require any excess of passion or any such imperfection in the way that temperance does. Still, it is a matter of controversy whether justice as it is in God is a virtue according to this definition [cf. n. 24]: "it is formally distinct from the will and, as it were, the rule of the will, or at least it is the will itself under the aspect of the first, self-determining rule." If it is not, the argument is more easily answered, because in that case justice is not in God as a moral virtue. 47

To the third argument [n. 5] I say that God does not owe anything in an unqualified sense except to love his own goodness. But he owes something to creatures in virtue of his goodness, namely, that he communicate to them what their nature demands; this demand is identified as something just in them, as a secondary object of God's justice. But in truth nothing outside God is determinately just except in a certain respect: namely, with the qualification "as far as it concerns a creature." Only what is referred to the first justice, in that it is actually willed by the divine will, is just in an unqualified sense 48

Question 2: "Is there mercy in God?"

Thus we come to the second question. Arguments for the negative: 49

According to Damascene, Book II, c. 13,[21] "mercy is compassion for another's misfortune."[22] There is no compassion in God because there is no passion. Therefore, etc.

Also, one who is merciful is inclined to do away with unhappiness and have compassion for it; but God is not inclined in this way to do away with unhappiness, for although he could do away with all unhappiness, he does not do away with it all.[23] 50

On the contrary: In Psalm 102:8, "[The Lord is] patient and very merciful." 51

[21] Damascene, *De fide orth.* c. 28 (II.14): "Mercy is sorrow for the misfortunes of others."
[22] Throughout this question 'misfortune' translates *malum*, 'bad,' used substantivally.
[23] Neither the edition nor the MSS have the 'not' in the final clause, but the sense clearly requires it.

I. Reply to the question

52 Response: in us mercy is a habit or (however one might put it) a form by which we will-against another's unhappiness, such that it first inclines to an act of willing-against unhappiness in another, whether future unhappiness (in which case one forestalls the unhappiness if one can) or present unhappiness (in which case one alleviates the unhappiness if one can). As a consequence, after this activity it disposes to a passion, namely, displeasure over impending or present unhappiness.

53 Mercy is not in God according to the second aspect, that is, as mercy inclines to this passion. And it is evidently on the basis of this aspect that the word 'mercy' is principally imposed—expounding 'merciful' (*misericors*) according to its etymology as meaning 'having an unhappy heart' (*miserum cor habens*), since one who has compassion for another's unhappiness thereby has an unhappy heart, that is, a heart that shares in unhappiness.

54 But in terms of the activity of willing-against unhappiness, whether present or impending, mercy is properly in God.

55 Proof that this is true in the case of impending unhappiness:

Just as no good thing comes about unless God wills it, so too nothing [bad] is prevented from coming about unless God wills-against it. Now many instances of happiness that could come about are prevented from coming about. Therefore, God wills-against them.

And similarly in the case of present unhappiness:

No unhappiness is taken away unless God wills-against it, and it frequently happens that unhappiness is taken away. Therefore, etc.

56 But one could make a distinction concerning God's mercy in the sense of his willing-against unhappiness. For just as we distinguish God's antecedent and consequent will, in the present case we could also distinguish a twofold willing-against unhappiness. And just as God always has an antecedent will for a creature's good, so too he always has an antecedent willing-against toward a creature's misfortune, a will to prevent or take away that misfortune, in keeping with what the Apostle says in 1 Timothy 2:4: "He wills that all human beings be saved." But just as he does not always have a consequent will for a creature's good, neither does he always have a consequent willing-against toward a creature's misfortune, a will to remove that misfortune. Now it is the second willing-against, not the first, that characterizes one who is merciful.

57 And a further distinction can be made: God wills-against impending misfortune either totally or partially. If he wills-against it totally, this is called "liberating" mercy, which excludes all misfortune, whether impending or already present. If he wills-against it partially, this is called "sparing" or "mitigating" mercy, which does not exclude all misfortune, but rather some part of the misfortune that is due someone

according to his merits. Now both of these kinds of mercy are present in God, since he helps some people by preventing all impending unhappiness or alleviating [all] present unhappiness but helps others by releasing them from some part of the unhappiness that is due them.[24]

II. Replies to the preliminary arguments

In reply to the first argument [n. 49], it is clear that that description of mercy is in terms of its remote or ultimate effect, the ordinate passion of compassion, which follows from the ordinate action of willing-against the misfortune of one's neighbor. And I have conceded that mercy does not exist in God in terms of that remote effect, but only in terms of the proximate effect, which is willing-against unhappiness. 58

Reply to the second argument [n. 50]: one who is merciful does not inflict unhappiness except in accordance with right reason. And in fact right reason does sometimes dictate that unhappiness should be inflicted on some people, in order that (so some people say[25]) God's justice should be evident in the damnation of the reprobate. And so God only inflicts that punishment in a way that is consistent with mercy or with a dictate of right reason. 59

Question 3: "Are justice and mercy distinct in God?"

And so we come to the third question. It seems that the answer is yes: 60

Cassiodorus on Psalm 50, speaking of God's mercy and justice, says, "These two things are always conjoined."[26]

Also, if they were not distinct but instead one and the same thing, then they would have one and the same effect. The inference is clear, since one and the same formal principle has exactly one and the same effect; but the consequent is false, since the effect of mercy is to liberate in the absence of merits, whereas the effect of justice is to condemn when there are no merits or to save on account of merits. 61

On the contrary: *City of God* XI.10, "God is simple: whatever he has, he is." This is true of what is said of God in himself, and mercy and justice are said of God in himself. Therefore, God is justice and God is mercy. Therefore, God's justice is God's mercy. 62

[24] Reading *quia et subvenit quibusdam omnem miseriam imminentem prohibendo vel praesentem relevando, aliis autem partem miseriae debitae dimittendo* (PN) for the edition's *quia et subvenit quibusdam omnem miseriam imminentem prohibendo, vel praesentem relevando, vel saltem miseriam debitam deminuendo*.

[25] Richard Middleton, *Sent*. IV d. 46 princ. 2 q. 2 in corp., q. 3 in corp. and ad 1; Godfrey of Fontaines, *Quodl*. VIII q. 10 in corp.

[26] Cassiodorus, *Expos. Psalmorum* ps. 50, 16.

I. Reply to the question

63 Reply to the question:

Someone[27] who adopts the first view discussed in q. 1 [nn. 9–27] will say that mercy is a part of justice in the first sense, that is, in the sense of what befits God's goodness, since it befits God's goodness to be merciful.

64 But if instead we adopt the second view [nn. 28–36], it is clear that justice and mercy are not formally the same, since justice has the divine goodness as its first object, whereas mercy concerns something in a creature—leaving aside the justice (*iustum*) that can exist in a creature, that is, what the creature demands, since there is no mercy in God with respect to what is just in a creature in this way. Now *x* and *y* do not have distinct first objects unless there is some distinction or formal non-identity between *x* and *y*. Nonetheless, this formal non-identity is compatible with unqualified identity, as I explained in Book I, distinction 13 [nn. 40–2] and distinction 8 [n. 209].

65 Now if you ask about the order of justice and mercy, understood in this way, justice is unqualifiedly prior in terms of their objects, because the object of justice is unqualifiedly prior to the object of mercy.[28]

66 But in terms of justice and mercy themselves as intrinsic to God, the only way in which there is an order between them is the way in which other perfections that are not formally identical are characterized as having an order: *if* there *were* a real distinction between them, one would be said to inhere in a prior way, and consequently that one is prior to the other in accordance with the distinction that does exist between them. And justice is prior to mercy in terms of this possible priority, in keeping with what Anselm says in *Proslogion* 11: "Mercy is born from justice."

II. Replies to the preliminary arguments

67 Reply to the first argument [n. 60]: Cassiodorus extends "two things" to apply to what are two in a certain respect, as I explained in Book I, distinction 8, as I mentioned before. One need not understand "things" as meaning realities and formalities, since the distinction of one thing from another is similar to that of one reality from another or one formality from another.

68 In reply to the second argument [n. 61] it is said[29] that 'mercy' connotes something different from 'justice,' even though mercy and justice are unqualifiedly the same.

[27] Thomas Aquinas, *Sent*. IV d. 46 q. 2 a. 1 qc. 1 in corp.; Richard Middleton, *Sent*. IV d. 46 princ. 2 q. 1 in corp., q. 2 in corp.

[28] Cf. Richard Middleton, *Sent*. IV d. 46 princ. 2 q. 2 in corp. and ad 2.

[29] Richard Middleton, *Sent*. IV d. 46 princ. 2 q. 1 in corp., q. 3 in corp.

But against this: this connotation does not require any such distinction between mercy and justice as they are in themselves, but only as they are understood and signified, because that is what connotation is concerned with. The argument, however, requires that there be some distinction between them as causes of distinct effects. 69

Nor is this [difference in connotation] sufficient for a difference in reason, as he claims,[30] since a relation of reason is not that in virtue of which an effect is really brought about; indeed, in no case does a real distinction in an effect depend on a relation of reason in the cause, as I proved in Book I, distinction 13 [n. 39]. Now this distinction in the effects depends essentially on a distinction in the cause; therefore, it is not a distinction of reason alone. 70

So in response to that argument I concede that just as in God intellect is not formally will and vice versa, even though one is the same as the other in terms of the truest identity of simplicity, so too justice is not formally the same as mercy or vice versa. And because of this formal non-identity one can be the proximate principle of some external effect of which the other is not a formal principle, just as if they were two things, since being a formal principle belongs to something insofar as it has such-and-such a formal character. 71

Against this: the divine being is supremely actual; therefore, it includes every divine perfection. But it would not include every divine perfection if there were such a formal distinction in God, since whatever is formally distinct from the divine being is in God actually; and consequently as distinct it is an act in God, and so the essence as distinct does not include every act. 72

Also, if there are distinct real formalities in God, it follows that there are distinct realities and thus distinct things. Proof of the first inference: each formality is distinct in virtue of its own proper reality. 73

Reply to the first argument [n. 72]: the divine being unitively contains every actuality of the divine essence. Now items that are contained without any distinction are not contained unitively, since there is no union without any distinction; nor are unqualifiedly really distinct items unitively contained, since they are contained in a manifold or dispersed way. So this word 'unitively' involves some sort of distinction between the items contained, a distinction sufficient for union,[31] and yet such a union as is incompatible with any composition and aggregation of distinct items. And this cannot obtain unless there is both formal non-identity and real identity. 74

[30] Ibid., d. 46 princ. 2 q. 1 in corp.

[31] That is, the items contained must be distinct enough that we can speak of them as being united—*made* one or *brought together as* one.

75 So in reply to the argument, I concede that the divine essence contains every actuality, and consequently every formality, but not as formally the same, since if they were formally the same the divine essence would not unitively contain them.

76 And if you should say that the divine essence contains them to the full extent that they can be contained, that's true as far as it can be for something of a single intelligible character: but nothing that is of a single intelligible character can contain multiple formally non-identical items more perfectly than unitively.

77 In reply to the second argument [n. 73] it can be said that there are as many realities and as many things in God as there are formalities, but each reality exists only in a certain respect, as I showed elsewhere.[32] Alternatively, one could deny the inference "multiple real formalities, therefore multiple realities" just as one denies the inference "a plurality of divine persons, therefore a plurality of deities"—but the first reply is more real.[33]

78 As for the argument for the negative [n. 62], it proves the true identity of anything in God to anything else, speaking of whatever is intrinsic to God. But from this it does not follow that everything in God is *formally* the same as everything else, since true identity—indeed the very truest identity, which is sufficient for something's being altogether simple—is compatible with formal non-identity, as I explained in the question I mentioned earlier: Book I, distinction 8 [n. 209].

[32] Cf. *Ordinatio* I d. 13 nn. 34–5.

[33] "more real": presumably, more grounded in the real or metaphysical domain, instead of the conceptual or logical domain.

42

Quodlibetal Questions q. 18

"Does an exterior act add any goodness or badness to an interior act?"

The next question concerns the relation of the interior act of the will to the exterior act: does an exterior act add any goodness or badness to an exterior act? 1

Argument for the negative:

What is not voluntary is not good or bad. And the exterior act as distinct from the interior act is not voluntary, since it derives its voluntariness entirely from the interior act. Therefore, the exterior act has no goodness or badness in its own right; and it would not add goodness or badness [to the interior act] unless it had some such goodness or badness in its own right. Therefore, etc.

On the contrary: 2

Acts that are prohibited by distinct negative commandments have their own distinct character as illicit. And in fact an exterior act and an interior act are prohibited by distinct commandments, as is clear in the case of the commandments "You shall not commit adultery" [Exodus 20:14] and "You shall not covet [your neighbor's wife]" [Exodus 20:17], and likewise in the case of the commandments "You shall not steal" [Exodus 20:15] and "You shall not covet what belongs to your neighbor" [Exodus 20:17], etc.

This question poses a greater difficulty with respect to the moral goodness of an act, since it seems quite clear that there is a distinct natural goodness (however exactly we are to understand natural goodness) for acts that are distinct in nature. Now it is evident that the interior act and the exterior act are distinct in nature. Indeed, these acts are immediately elicited by distinct powers: the interior act by the will, the exterior act by some exterior power, albeit through the will's command. 3

Second, the difficulty is not in understanding the two acts when they are diverse—whether in diverse supposits (say, if one person has the interior act and another person has the exterior act) or in the same supposit (say, if someone at one time has only the interior act and at another time only the exterior act)—but rather in understanding them when they are conjoined, as when the exterior act follows from the interior act in one and the same person. 4

5 Third, the question should not be understood as asking about adding goodness or badness *intensively*. For it frequently happens, both in good acts and in bad acts, that an act of desire for something absent is less intense than an act of desire for something present, which Augustine in *On the Trinity* IX.12.18 calls "love": "The desire of one who longs for something is the love of someone who enjoys it." And whether the acts of desire and love are the same act or distinct acts, an act of love is at any rate more perfect in terms of intensity, for it satisfies the appetite in a way that an act of desire cannot. So when the exterior act is performed, the interior act is sometimes or typically intensified. But that is not what the question is about. The question is about whether the exterior act in its own right adds some goodness to the goodness that is in the interior act.

6 So the sense in which the question poses the greatest difficulty is this: When the exterior act is conjoined with the interior act in one and the same person, does it have its own moral goodness distinct from the goodness of the interior act?

7 To answer this question we need to investigate three things. First, in virtue of what does an act have moral goodness or badness? Second, is an act praiseworthy or worthy of reproach or blameworthy on that same basis? And third, is there a distinct goodness or praiseworthiness in the exterior and interior acts?

I. In virtue of what does an act have moral goodness or badness?

8 As for the first topic, the moral goodness of an act is the completeness (*integritas*) of all the features that the agent's right reason judges ought to characterize[1] the act or the agent in so acting.

9 To clarify this description: The primary goodness of a being, which is called essential goodness, is the completeness or perfection of a being in itself; it implies positively the negation of imperfection and excludes imperfection and diminishment. Similarly, the secondary goodness of a being, which is accidental to or supervenient upon being, is (a) the completeness of a thing's suitability, or a thing's complete suitability, to some other thing to which it ought to be suitable, or (b) the [complete] suitability of some other thing to it.

An example of both can be taken from Augustine in *On the Trinity* VIII.3.4. He writes, "Health without pain and weariness is good"—that gives an example of (a),

[1] "ought to characterize": *debet convenire*. *Convenire* is often "be suitable to," as *convenientia* is regularly "suitability." But I have resisted translating *debet convenire* as "ought to be suitable to," because it sounds like some sort of meta-ought that I don't think Scotus has in mind. That is, I take it that *x debet convenire y* and *x convenit y* are in effect synonymous, rather than that the former adds a level of normative assessment over and above the latter (i.e., as meaning not just that x is suitable to y but that the state of affairs of x's being suitable to y is one that ought to obtain).

since health is good for human beings because it is suitable for them. And Augustine goes on to say, "Good, also, is a human face, well-proportioned, cheerful, and of comely hue"—that gives an example of (b), because such a face is called good in virtue of having these features that are suitable to it.

And there is a difference between these two, in that what is suitable to something is said to be good for that thing, that is, a perfection or goodness of that thing, but it is not called good denominatively or accidentally in itself. By contrast, that to which something is suitable is called good denominatively in virtue of having that which is suitable to it. In the first case, the form is in effect denominated from the subject: thus, something is called good for a human being because it is a human good, in the same way that a soul is called human. In the second case, by contrast, the subject is denominated from the form, as when we say that a human being is good because of some good that he has.

Now an act is apt to be suited to its agent and is also apt to have some feature suited to it, and so an act characterized by either sort of suitability can be called good in terms of accidental goodness. And this is true even of a natural act, and consequently the goodness that consists in something's having what is suitable to it is not only accidental goodness but also natural goodness. This suitability either obtains in virtue of the nature of the extremes or, if it must in general be traced back to the judgment of some intellect, because the intellect is the measure of suitability, the relevant judgment will be that of the intellect that is the rule of the whole of nature, which is the divine intellect. For just as the divine intellect perfectly knows every being, so also it perfectly knows the suitability or unsuitability of one being to another.

Further: Some agents—those acting without intellect and will—do not make a 10
judgment concerning what is suitable to their act and are not in control of their acts. In the case of such an agent, either what is suitable to its act is determined entirely by purely natural causes and those causes incline the agent to act, or else, if in addition to these causes there is a judgment on the part of some intellect and a motion on the part of some will, that belongs to God alone as the universal governor and mover of the whole of nature. And thus the goodness in an act of an agent without intellect is merely natural.

There is another sort of agent—one acting through intellect and will—that makes a judgment about the suitability of its act and is in control of that act. In the act of any other agent there is no goodness besides purely natural goodness, because they act either according to purely natural causes or, if they do act according to intellect and will, it will be God's intellect and will as moving them naturally.

Beyond[2] this general judgment of the suitability of the act, which is common to the act 11
of something that acts through cognition and something that acts without cognition,

[2] Frank reads, "But in the act of an agent that acts through intellect and will, beyond."

there are certain agents that act in virtue of cognition intrinsic to themselves. Some do so through sensory cognition alone: they in some way apprehend the suitability of an object, but—whether they make a judgment about the suitability of the act or not—they do not transcend natural goodness. Others act on the basis of intellectual cognition. Properly speaking, only intellectual cognition is such as to judge such suitability. Agents with intellectual cognition are apt to have an intrinsic rule of rectitude in their own acts, and only in such agents can there be a good act that has moral goodness.

12 But it is not sufficient for moral goodness that there is in the agent a power that is capable of judging the suitability of his act: the agent must actually judge rightly concerning his act and act on the basis of that judgment. If his own cognition is erroneous, then even if he acts in conformity with someone else's correct cognition, he does not act correctly: for such an agent is apt to be regulated in his act by his own cognition, whereas in such a case he does not act according to his own cognition, but contrary to it. Similarly, he elicits the sort of act that he has in his own power. Now he has in his own power the sort of act that he cognizes and elicits, because the power of free choice exists either formally or concomitantly in cognition and choice. In this way, then, it is evident in what way the moral goodness of an act is its suitability as judged by the agent's right reason.

13 The further words, "of all the features that ought to characterize the act," are explained as follows:

Every judgment begins from something certain. The first judgment of suitability cannot presuppose any suitability dictated by another intellect, because if it did, it would not be first. Therefore, it presupposes something certain and not judged by another intellect. The nature of the agent, the power by which he acts, and the essential notion (*ratio quidditativa*) of the act are such things. For the essential notion of these [three] things is all one needs to conclude that this act is suitable for or incompatible with this agent, acting by this power. For example, from the notions of *human being*, *intellectual power*, and *act of understanding*, it is evident that it is suitable for a human being to understand through his intellect; it is also evident, once the notion of *an act of touching* is understood, that it is not suitable for a human being to touch through his intellect. Similarly, it is evident from the notions of the nature, the power, and the act, that it is not suitable for a non-rational animal to understand—or, more properly, that understanding is impossible (*repugnat*) for a non-rational animal. Indeed, this first judgment, which is taken strictly from the nature of the agent and of the active power and of the act, expresses not merely a lack of suitability (*inconvenientia*), that is, an inappropriate or inordinate connection, but an outright incompatibility (*disconvenientia*), that is, the absolute impossibility of their being suitable to each other.

14 Further: one can conclude from the notions of these three terms what is a suitable object for such an act of such an agent. For example, one can conclude that the act of

eating has as a suitable object food that restores what has been lost, and not something that is not apt to provide nourishment, such as a stone or something like that, which might be nourishment for some other animal but not for a human being.

This determination of the object is the first determination that belongs to the genus of morals, not as a difference that determines a species within that genus, but as something with the potential to receive [further] moral determination. For when an act has an object that is suitable to the agent and the action, it is capable of moral determination by ordinate circumstances. This is why we say that an act has generic goodness from its object: just as a genus is in potentiality with respect to differences, goodness from the object is the first goodness in the genus of morals, presupposing only the goodness of nature, and it is capable of taking on every specific goodness within the genus of morals.

Now there is an order in this specific goodness, which is called "goodness from circumstances," as follows: 15

The first goodness is evidently from the circumstance of the end, since from the nature of the agent, the action, and the object one concludes straightaway that such an act should not belong to such an agent except as ordered to such an end, and that it ought to be chosen and desired for the sake of such an end. This circumstance does not characterize the act strictly as actually carried out or not, but as willed and as referred by an act of will to such an end. Indeed, a choice that is for the sake of an appropriate end is no less good if the elicited act fails to achieve that end than if it succeeds.

The circumstance of the mode of acting evidently comes next after the circumstance of the end. On the basis of some or all of the considerations stated above, one infers that the mode of acting ought to be such-and-such.

Next one can draw a conclusion about the time: such-and-such an action, for such-and-such an end, and with such-and-such a mode of acting, is not suited to such-and-such an agent at just any time, but only at a time at which it can be ordered to that end or have that mode.

Now the last circumstance is evidently the circumstance of place. There are, to be sure, many acts whose moral goodness (even complete moral goodness) requires nothing determinate with respect to place.

Thus it is evident that there are several things right reason dictates should characterize an act, for in keeping with the way I characterized moral goodness earlier [n. 8], an act must have all these features together in a complete whole if it is to be perfectly good. This is why Dionysius says in *On the Divine Names* 4 that "goodness is from a unified and total cause, whereas badness is from particular defects"—a total cause, he says, meaning a cause that is a complete whole comprising all the relevant circumstances. 16

17 One might argue on the contrary that circumstances are relations, whereas goodness is a quality, according to *Ethics* X [1173a13–22]. Also, according to the *Categories* [8, 8b30] virtue is a quality.

I reply: According to *Physics* VII [246b2–8], "All virtue and badness are with respect to something." So an act's being good or virtuous implies a relation, or many relations. Despite this, however, 'good' and 'virtuous,' like 'healthy' and 'beautiful,' are named and predicated in the way that qualities are, as is true in general of the fourth species of quality.

18 In keeping with the second part of the authoritative passage from Dionysius [n. 16], we need to investigate how an act has moral badness.

There are two ways in which badness can be opposed to goodness in an act: privatively and contrarily. In the same way, a human being, too, can be called bad contrarily because he has a vicious habit, which is a positive habit (though accompanied by a privation of some requisite perfection), or merely privatively bad because he lacks some goodness that he ought to have but does not have a contrary positive vicious habit.

19 One can draw this distinction from Boethius's commentary on the *Categories*,[3] in the passage where he is explaining the first distinguishing feature of quality: "Some people say that injustice is not contrary to justice. They think that injustice is a privation of justice, not its contrary." He goes on to reject this view: "There are many habits that we speak of by using a privation-word: for example, illiberality and imprudence. These would never be opposed to virtues, which are habits, unless they themselves were also habits."

20 This distinction is also evident by argument. For someone can perform an act that lacks an appropriate circumstance and yet has no inappropriate circumstance, say, when he does not order his act to an appropriate end and yet does not order it to an inappropriate end. In such a case the act is privatively bad, not contrarily bad, like an act ordered to an inappropriate end; and from many such acts a habit that is bad in the same way—privatively bad, not contrarily bad—is generated. An example of this is giving alms, not for the sake of a good end such as love of God or the relief of one's neighbor, and yet not for the sake of a bad end such as an empty reputation or harming someone. That is a privatively bad act, not a contrarily bad act.

It is of privative badness that Dionysius is speaking when he says that any particular deficiency in any necessarily required circumstance renders an act bad. By contrast, an act is contrarily bad only if it has a positive circumstance that has some deformity.

21 So, briefly: just as moral goodness is complete suitability, moral badness is unsuitability. Privative badness is privative unsuitability, that is, a lack of due suitability,

[3] *In categorias Aristot*. III.

whereas contrary badness is contrary unsuitability, that is, some feature that is incompatible with suitability.

From what has been said so far, a corollary follows: there can be multiple moral goodnesses in one and the same underlying act. For one and the same act can have the right circumstances not merely in virtue of having many particular circumstances—those do not constitute multiple goodnesses, but come together as one single complete goodness—but in virtue of having all the circumstances pertaining to one virtue and also all those pertaining to another virtue. Thus the act will conform to diverse perfect dictates of prudence regarding many ends proper [to diverse virtues]. 22

For example: I go to church out of justice, because I am bound to do so by obedience or by a vow that I have made; I also go out of charity toward God, in order to pray or to worship him; and I also go out of brotherly charity, in order to edify my neighbor. And, briefly, the more ordinate motives there are that come together in a given act, the better the act is—whether it has moral goodness or also, in addition, meritorious goodness.

Similarly, multiple badnesses can come together in one and the same act: as many badnesses as there are dictates of reason prescribing opposite features that should be present in the act. 23

II. In virtue of what is an act praiseworthy or worthy of reproach?

As for the second main topic, I say that *praiseworthy* and *worthy of reproach*—indeed, more generally, *deserving of reward* and *deserving of punishment*—fall under the broader notion of *imputable*. 24

And there is a single basis for the applicability of this broader notion: an act's being within the agent's free power. Now granted, intellect and will both contribute to this power; but the indifference by which what is done can not be done and what is not done can be done—understanding those as divided and not as conjoined, that is, in the divided sense, not in the composed sense—this indifference or indetermination with respect to either possibility, I say, can be reduced completely only to the will itself.

For any other active power is active naturally and thus is, in its own right, a power for what is determinately one—that is, for one of a pair of contradictories. Thus, even if it is an active power with respect to many disparate effects, as the sun is the cause of many effects here below, nonetheless, in the case of any given contradiction, any such cause is determined to one of the pair of contradictories, as the sun is determined to generating this plant and this worm, and so forth.

By contrast, the will alone is indifferent to contradictories and is such that it determines itself to one or the other of them: as we read in *Metaphysics* IX [1048a5–15], otherwise it would perform contrary actions at the same time.

So it is because his act is in his power indifferently in this way (granted, presupposing some intellection) that the act is imputable in its own right to the agent. This is why Augustine says in *On Free Choice of the Will* III.1.2–3, "It is quite clear that if this movement is blamed, it is not natural, but voluntary." And then the words of his student: "Unless the movement of the will by which it turns [away from God] were voluntary and in our power, a human being would deserve neither praise nor blame," just as I said above in the question about natural necessity in the will.[4]

25 So 'imputable' implies two relations: one to the power or control of the agent, and the other to something corresponding to the act or agent in accordance with justice and on account of the act itself. And the second relation follows from the first: it is because someone is in control of his act that something is owed to the act and to the agent on account of his act. The first relation remains the same in itself whether the act is good or bad, but the second varies. It does not vary formally in terms of goodness or badness; rather, the difference between a good and a bad act, which is based on the suitability or unsuitability discussed in the first article, is presupposed, and what varies is what corresponds to that act in virtue of its being good or bad. A good act, you see, is imputable for praise or reward, whereas a bad act is imputable for reproach or punishment. By contrast, a neutral or indifferent act—although it is in the agent's power—is imputed as worthy of reproach in a certain respect, in that the agent was able to act ordinately, or at least as not praiseworthy, because it lacks something that the agent was able to do in a praiseworthy way.

26 From this it is clear that an act is not imputable in virtue of formally the same feature in virtue of which it is morally good. It is morally good in virtue of its suitability to the rule according to which it ought to be elicited; it is imputable in virtue of being in the free power of the agent. But 'praiseworthy' and 'worthy of reproach' imply both these things. For although formally they express that the act is imputable, with the further determination of that for which the act is imputable, they materially connote that on account of which the act is imputable for this or that, namely the goodness or badness on account of which it is to be imputed for punishment or reward.

27 But we can distinguish two ways in which something is imputable. In one way, taking 'imputable' in its most proper sense, what is immediately in the power of the will can be called 'imputable.' Only willing is imputable in this way, because only willing is immediately in the free power of the will.

In another way, whatever is unqualifiedly in the power of the will, but not immediately, can be called 'imputable.' And in this way an act of another power that the will, through its own act of willing, can command to be elicited or prevent from being elicited is imputable to the will, because the whole process of action up to and including the act itself is in the power of the will.

[4] *Quodl.* q. 16 nn. 2, 47ff.

One difference between what is imputable in the first way and what is imputable in 28
the second way is that all that is required for something imputable in the first way is the power of the will and what is required for the will's act, such as understanding. And the reason is that something imputable in the first way is immediately the effect of the will; we can understand what Augustine says in *Reconsiderations* I.8.3 and 22.4—"nothing is so much in the power of the will as the will itself"—as applying to this sort of act. (Take 'will' as meaning not the will's being but rather the will's eliciting its own act.) By contrast, some power other than the will that carries out the act is required for an act that is imputable in the second sense.

From this it follows that there is, in one sense, greater contingency or indifference 29
with respect to an act that is imputable in the first way, because nothing other than the will is required for such an act, given a sufficient presentation on the part of the intellect. Hence, no posterior causes can prevent that act from being elicited. By contrast, an act that is imputable in the second way depends on some other power, and that power can be prevented by its own weakness from executing that act. So the contingency of that sort of act does not derive solely from the indifference of the will, as the contingency of the first sort of act does. So since the contingency of any other cause or power in its acting is further removed from the contingency in an unqualified sense that characterizes the will in its acting, it follows that the contingency of an act that is imputable in the first way is greater than the contingency of an act that is imputable in the second way.

Yet to the extent that an act that is imputable in the second way depends on more things, and a deficiency in any one of them can prevent that effect from coming about, it can be said that such an effect is more contingent—or, more properly, contingent in more ways.

III. Is there goodness or praiseworthiness in the exterior act in addition to that in the interior act?

Concerning the third main topic, it can be said, first, that an exterior act—that is, a 30
commanded act—has its own moral goodness, distinct from that of the interior, elicited act. And second, we shall see in what way the exterior act does or does not have its own imputability.

A. The exterior act has its own moral goodness

The first claim is proved in two ways. 31

First, from Augustine, *On the Trinity* XIII.5.8: "An evil will by itself makes someone unhappy, but the power to fulfill the desires of his evil will makes him unhappier still. Truly, though someone would be unhappy in virtue of his evil willing, he would be less unhappy if he could not have any of the things that he wrongly willed." Now clearly this cannot be understood to be true of the unhappiness of

punishment, since someone who desires but cannot have what he desires is punished more than someone whose desire is fulfilled. So it is understood in terms of the unhappiness of fault. Therefore, a bad exterior act adds to the unhappiness of fault that already existed in the bad interior act.

32 Second, the same conclusion is proved by argument. We established in the first article that the moral goodness of an act is the completeness of those features that the agent's right reason dictates should characterize the act. Now the completeness of the features that ought to characterize an interior act according to right reason is distinct from the completeness of the features that ought to characterize an exterior act. Therefore, there is a distinct moral goodness and consequently a distinct moral badness, whether merely privative (because the act lacks one of the features that ought to characterize it) or contrary (because there is something in the act that is incompatible with some feature that ought to characterize it).

33 Proof of the minor premise: Right reason does not dictate that some feature characterize an act if it is impossible for that feature to characterize the act. And in fact it is impossible for what does or can characterize an interior act to characterize an exterior act—understanding this claim to apply to both acts as they exist in real being, and to what characterizes those acts as they exist in real being. For although what characterizes an interior act in reality could in a certain way—denominatively, by extrinsic denomination—characterize an exterior act qua object willed, not qua elicited, the same feature does not characterize both the interior act and the exterior act in the same way. For the operative powers do not have the capacity for one and the same act, or even for an act of the same essential nature, and consequently their respective acts likewise do not have the capacity to be characterized by suitable features of the same essential nature. Or at least—and this is all I need to establish the claim at issue here—what is suitable to one can be distinct from what is suitable to the other.

On this basis it is clear how to reply to objections raised against what I said above.

34 Objections:

First, the truth of an act of understanding is one and the same as the truth of the object understood. Therefore, by parity of reasoning, the goodness of an act of willing is one and the same as the goodness of the object willed. The antecedent is clear from examples: just as the truth of a principle is immediate, so also the cognition of a principle can be said to be immediate, and the cognition of a conclusion mediate. Similarly, cognition of a principle is on the basis of its terms, and the cognition of a conclusion is on the basis of principles; and truth characterizes such cognitions accordingly.

35 Confirmation: where one thing is on account of another, there is only one thing. And an exterior act has goodness only on account of the interior act. Therefore, the goodness of the exterior act is not distinct from that of the interior act.

Moreover, according to Anselm in *On the Virginal Conception* [c. 5], sin is the lack of required justice. Now there is only one lack of required justice in an interior and an exterior act, since, according to Anselm, it is only in the will that there can be justice or injustice. 36

Moreover, where there is one turning-away and one inordinate desire, there is evidently one formal character of sin. And there is only one turning-away in the interior and exterior act, since only the will can turn away from the end, just as only the will can turn toward it. And inordinate desire, which Augustine sometimes calls "cupidity," is, as he says in *83 Diverse Questions,* question 36, properly the destruction of charity. Therefore, it exists properly in a power in which charity is apt to exist, which is the will alone. 37

Reply to the first [n. 34]: Granted that one and the same truth that is formally the truth of an act of understanding is in another way—objectively—the truth of the object understood, insofar as the object has being in the intellect itself, and similarly that the goodness that is formally the goodness of an act of willing is in some way—denominatively—the goodness of the object willed insofar as it is willed, nevertheless that act can very well have its own goodness as brought into real being outside the will, as that act in its real being has a required conformity or suitability of its own. 38

As for the confirmation [n. 35], that argument can be used to support the opposite conclusion. For the exterior act has its suitability to its rule through the interior act (in other words, by the mediation of the interior act). Therefore, it has a distinct suitability from that of the interior act, since a given thing is not its own cause or an intermediate with respect to itself, nor is anything the cause or basis for being an intermediate with respect to itself. 39

Acts of intellect provide an example of this: although a conclusion has its truth from a principle, it does still have its own truth, because it has its own conformity between what is affirmed and what is in fact the case, or between the conclusion's own terms. For a conclusion is not formally true by the truth of the principle; rather, it is true by a mediated and demonstrated truth, and thus it has a mediated, demonstrable truth.

Similarly, many conclusions that follow in an ordered way from the same principle have their own distinct truths, and perhaps a prior truth is truer and more necessary, since it does not depend on a posterior truth for its necessity, but rather the reverse.

Similarly, false conclusions that contradict the same truth have their own falsities, since each has its own incompatibility (*disconvenientia*) between what is expressed and what is in fact the case.

Something similar is true of acts of will. It is not only an act of willing that is apt to have its own suitability or lack of suitability to a correct dictate; a commanded act is likewise apt to have its own suitability and conformity, through an act of willing. And although the elicited act and the commanded act ought to be conformed to one and

the same thing, the acts that are to be conformed are distinct, and so the acts have distinct conformities or suitabilities, albeit to the same thing.

40 You might object that truth does not characterize anything outside the intellect: it characterizes only an act of the intellect or the object as it exists in the intellect. So, by analogy, goodness does not characterize an exterior act as elicited externally, but[5] strictly as the object of an act of willing.

I reply: the inference can be denied in keeping with the claim in *Metaphysics* VI, near the end [1027b25–30], that "False and true are not in things, as if what is good were true and what is bad, false, but rather in the mind."

Alternatively, the antecedent can be denied on the grounds that if some intellect is the rule for what is understood—as is the case for the divine intellect as exemplar and rule for a creature—the latter can be called true not merely as it is actually cognized but also as it is in itself, since in itself, according to its very being, it is modeled on and in conformity with its exemplar.

41 To the second objection [n. 36] I say that justice can be understood in one way as *habitual* correctness—in other words, as a habit of the will—and on the basis of justice in this sense a will is said to be right habitually, even when it is not actually willing anything. In this sense someone who has such a habit is called just, and someone who lacks such a habit or has a contrary habit of injustice is called unjust, even when asleep. In another way, correctness is understood as *actual* correctness, or correctness in actuality, which is the conformity of an elicited act to its rule.

The first alternative is pretty well generally conceded. Proof of the second: an act is not said to be formally correct or just on the basis of habitual justice in the will, since the will could have an act of venial sin or an indifferent act, neither of which is a just or correct act, while retaining habitual justice. Instead, the correctness on the basis of which an act is said to be formally correct must be present precisely when the act itself is present. Indeed, perhaps it is not present immediately in the will but rather in the act, and it is present in the will through the act, since the will is apt to be the immediate subject of a habit and an operation, and actual justice is neither a habit nor an operation, but only a certain feature of the act itself, namely, the act's conformity to its rule.

42 This would be more obvious if an act did not pass out of existence straightaway but instead endured for some time. For example, a motion that is numerically one and one in species can be fast in one part of its duration and then slow in the next part; from this it follows that neither fastness nor slowness is altogether identical with the motion itself. Similarly, an act could at first be elicited in conformity with a correct rule, and that very same act, continued, could afterward be elicited in a way that does not conform with that rule. Thus, one and the same act would be correct as to its first part and incorrect as to its later part. But since in fact an act passes out of existence

[5] Reading *sed* (MSS), as the sense requires, for *seu* (Alluntis, Frank).

straightaway—or, if it does endure, its correctness typically endures along with it, so that it is not the case that one and the same enduring act changes from correct to incorrect or that a correct part is succeeded by an incorrect part—the difference between an act and its correctness is not as obvious. Nonetheless, the difference is in fact established by the foregoing arguments and by the fact that a relation that does not follow necessarily from the nature of its foundation is not altogether identical with that foundation. And indeed correctness does not follow necessarily from the nature of an act.

And although primary actual justice exists strictly in an act of willing, there can be secondary actual justice in a commanded act through an act of willing. For a commanded act has a correctness of its own, though that correctness is dependent on the correctness of an act of willing.

So the claim that there is no justice except in the will is true of habitual justice, which is correctness preserved for its own sake, as Anselm defines it. For *preserved* properly characterizes a habit. Extending its scope further, it is also true of primary actual justice, since the will preserves primary actual justice for its own sake: that is, it retains justice in its act, which habitual justice elicits as correct. But if we're talking about secondary actual justice, we should say that it is not in the will subjectively, but only causally. Thus Anselm's definition of justice can still be upheld as applying to secondary actual justice in a certain way: it is "correctness of the will," not as formally inhering in the will, but of the will as cause and as commanding, and it is "preserved for its own sake" as an effect brought about voluntarily.

Certain corollaries, which further clarify the claim at issue, follow from this. 43

One corollary is this. With one and the same habitual justice remaining present, there are as many actual justices as there are actual elicited acts. And one of these justices can be more intense than another, if one act is elicited with greater effort than the other—yet even so, the habit would remain equal. Indeed, a prior act can be elicited with greater effort and accordingly have actual justice corresponding to the intensity of the act, and a later act can be elicited with less effort, even though clearly at that point the habit is certainly not less.

Another corollary: each individual bad act has its own actual badness. For just as each act is apt to have its own goodness because it is apt to have its own suitability or conformity—whether to the same rule or to different rules—so too each individual bad act has its own lack [of goodness]. 44

Another corollary: Badnesses differ in the same way in which the goodnesses that ought to be present differ: if the goodnesses differ in species, the corresponding badnesses differ in species; if the goodnesses differ numerically, the corresponding badnesses differ numerically. For privations are distinguished in the same way as the positive features of which they are privations. For example, deafness and blindness are specifically different privations, just as the power of hearing and the power of 45

sight are specifically different positive features; and this blindness and that blindness are numerically different privations, just as this power of sight and that power of sight are numerically different positive features.

46 From this it is clear that the object toward which one turns is not the basis on which both vices (speaking naturally [*physice*]) and sins (speaking theologically) are distinguished—in species, in number, and even in genus—since such turning toward some particular object does not of itself constitute sin as sin or distinguish one sin from another.[6] Instead, the distinction is based on the distinctive character of this particular privation, which is the formal basis for distinguishing privations, just as the distinctive character of this positive feature would be the formal basis for distinguishing positive features.

47 It is also clear how one sin is more serious than another, whether we understand this in terms of one species being more serious than another or of one sin in a given species being more serious than another sin in that same species. For in whatever way an act ought to have a greater goodness—whether in terms of its species or in terms of its intensity within its species—it is privatively worse if it lacks the goodness it ought to have; and if it has some positive characteristic incompatible with that goodness, it is contrarily worse.

48 Third, it is clear how sins can continue to infinity in the damned and yet their nature is not consumed, nor is any natural capacity or anything else in their nature. For no created nature can corrupt an intellectual nature or anything natural in such a nature; and if some created nature could diminish any such thing in an intellectual nature, it could eventually totally corrupt that nature.

49 Similarly, a contingent effect does not necessarily accompany its cause, so the opposite of that effect, or of some condition in that effect, does not destroy or diminish such a cause. Now badness in an act is a privation in something that is a contingent effect of the will. Therefore, it does not in any way diminish the will itself.

50 Then what does one sin perpetually added to another take away?[7] After all, according to Augustine in the *Enchridion* [4.12], a sin "is bad precisely to the extent that it takes away some goodness."

I reply: actual badness in an elicited act does not take away a good that is present together with it at the same time—that much is obvious—and it need not be the case that it takes away a good that was previously present, since, as I said earlier [n. 42], an act that passes out of existence straightaway does not change from good to bad. And if you should suggest that the good taken away by sinning is the habit of grace that

[6] See *Ordinatio* II dd. 34–7 q. 2 n. 59.

[7] Reading *Quid igitur* (or *ergo*) *adimit peccatum semper additum peccato* (MSS). Both Alluntis and Frank omit *semper*, but since what is at issue here is the infinitely accumulating sins of the damned, the reading of the MSS makes sense.

was previously present, that cannot be true of every sin, since a subsequent sin does not take away that habit, because it has already been taken away. Nor does the first sin by its very nature take away that habit more than a subsequent sin does: for if it did, the first sin would be unqualifiedly more serious than a subsequent sin because it would take away a greater good. But in fact it sometimes happens that a subsequent sin is, in its own right, more serious than the first sin; and thus it would be apt to take away a greater good. Thus, it takes away that actual good in its own right, and it would also take away that habitual good in its own right, if that habitual good were present.

So sin in general takes away the good that *ought* to be present, just as in someone who is born blind, blindness does not take away the sight that was once present, but the sight that ought to be present. Thus, as Augustine says in *Literal Commentary on Genesis* XI.23.30 concerning the angel who sinned, "He fell, not from what he had received, but from what he would have received if he had willed to be subject to God." And if sin were added to sin unto infinity, each sin would take away the goodness that ought to be in each particular act. And just as there is nothing untenable about one finite good's virtually containing infinitely many effects elicited successively, neither is there anything untenable about its virtually containing the infinitely many correctnesses that ought to belong to those effects.

As for the third objection, about turning away [n. 37]: Turning away from the end 51
can be understood as actual willing-against the end. It is clear that not everyone who sins turns away in this sense, since perhaps quite frequently people sin without actually thinking about the end—or if they do think about it, they do not regard it as something bad in itself.[8]

In another sense, turning away can be understood not as formal but as quasi-virtual. This sort of turning away can be said to characterize the will's acceptance of something incompatible with a volition—at least an efficacious volition—of the end or with the attainment of the end, as when the will wills something that is altogether inordinate and interferes with one's attainment of the end: for example, something contrary to a divine commandment that must be observed if the end is to be attained. Even in this way of understanding it, turning away belongs only to the will.

In a third and broader sense, any badness that separates one from efficaciously willing the end or from attaining it can be called a turning away. And this sort of badness can be in a commanded act of will, since commanding an act that is bad in this way is incompatible with the will's efficaciously willing the ultimate end or even attaining it.

So just as the possibility of an act's being referred or ordered to the end can be called a 52
turning toward the end, the impossibility of an act's being ordered to the end can be called a turning away. So the claim that there is only one turning away in the interior and exterior act is true if you understand turning away in the first two ways: there is

[8] *non illum in se ex malitia* [*peccans*] *respicit.*

in fact such turning away only in the interior act. As for the further claim that turning away in this sense is the formal characteristic of sin, that must be denied. Indeed, the fact that the commanded act cannot be ordered to the end is sufficient for that act to be a sin; the impossibility of its being ordered to the end could be called a turning away in the third sense explained above.

53 As for the additional point about inordinate desire [n. 37], if "inordinate desire" is understood as a bad will, that is, as immoderate willing, inordinate desire is not formally present in every sin; rather, it concurs in the sin either formally or causally. So if *inordinate desire* or *cupidity* is to be convertible with *sin*, one will have to extend the former notions so that they apply not only to an immoderate interior act of will but also to a commanded act.

B. The exterior act is imputable

54 What we should say about the second topic in this article [n. 30], imputability, is clear from the distinction made in the second article [n. 27]. For if we take 'imputable' strictly, only what is immediately in the will's power is said to be imputable, and thus it is clear that only willing and willing-against are imputable.

But if we take 'imputable' more broadly, so that what is unqualifiedly and fully in the will's power is said to be imputable, then a commanded act is properly imputable, since although it is not in the will's power immediately, it is nonetheless in the will's power mediately, through an act of willing. That act of willing is in the will's power not only in its own right but also as the principle of the exterior act, since the will can bring about the exterior act through the interior act. Example: a slave kills when his master commands him to. That killing is imputed to the master because the slave's act was in the master's power, though mediately, through his act of commanding.

55 Suppose someone argues, as before [n. 36], that the exterior act is imputable only mediately, through the interior act. I reply: that establishes precisely the claim I mean to defend, namely that the imputability of the exterior act is distinct from that of the interior act. For one and the same thing is not an intermediate or a basis for mediating with respect to itself. And this point can be elucidated in the same way that the corresponding point about the distinct goodness [of the interior and exterior acts] was elucidated earlier [n. 36]. For although the terminus is the same, in distinct foundations there are distinct relations to the same terminus. The interior act and the exterior act are distinct foundations. Therefore, although imputability characterizes both acts in relation to the same will, they are distinct imputabilities, just as there are distinct relations of being-causable or of being-subject-to-the-power-of-the-cause, even though the cause is the same.[9]

[9] At this point there is an additional text found (with some variation) in Clm 23572 and 26309 and included in a footnote by Frank:

IV. Reply to the preliminary argument

Reply to the preliminary argument: 56

'Voluntary' can be said of what is in the will as subject, or of what is accepted by the will, or of what is commanded or caused by the will. That something is in the will as subject does not make it voluntary in the full sense, since a habit can be in the will and yet the will does not have that habit voluntarily.[10] What is accepted by the will is called voluntary by participation, since the accepting of that as object is voluntary; the object itself is more properly said to be willed (*volitum*) than to be voluntary (*voluntarium*). What is properly called voluntary is what is in the will's power in the third way, and in this way the exterior act is unqualifiedly voluntary, just as the interior act is—though they are not equally directly voluntary, since the exterior act is voluntary only as presupposing the interior act.[11]

As for the proof of the minor premise, I say that an exterior act separated from an interior act—that is, brought about apart from an interior act—is not voluntary, since a more remote effect is not called voluntary unless it is brought about through the interior act, which is the more proximate effect. Nonetheless, when an exterior act is conjoined with an interior act and proceeds from it, then that exterior act as a distinct act has the character of something voluntary, and indeed a distinctive character as voluntary, since it is mediately voluntary, whereas the interior act is not voluntary mediately, but rather immediately.

> Those who do not differ in the power of their wills do not differ with respect to sinning. But one who sins and one who equally wills to sin but is prevented from sinning by his own incapacity are equal with respect to what is in the power of their wills; they differ only with respect to what is not in the power of the will of the one who is incapable. Therefore, etc. I reply: The major premise is not true unless one adds that the same things, or equal things, are in the power of the wills of both.

[10] Alluntis adds, "for sadness is in the will as a subject," which appears in the Wadding edition but not in Frank or the MSS.

[11] At this point there is an additional text found (with some variation) in Clm 23572 and 26309, as well as Worcester 60 (according to Alluntis and Wolter, 417), and included in a footnote by Frank:

> So what is from the will causally, both as elicited and as commanded, should be called voluntary, though what is elicited by the will is called voluntary in a prior sense compared to what is commanded. Therefore, the major premise should be conceded if one understands "voluntary" in the broad sense; but then the minor premise is false.

Bibliography

Editions and Translations

John Duns Scotus. *Opera omnia*. Ed. Carolus Balić et al. 20 vols. Vatican City: Vatican Polyglot Press, 1950–2014.

John Duns Scotus. *Cuestiones cuodlibetales*. Ed. Felix Alluntis. Madrid: Biblioteca de autores cristianos, 1968.

John Duns Scotus. *God and Creatures: The Quodlibetal Questions*. Trans. Allan B. Wolter and Felix Alluntis. Princeton: Princeton University Press, 1975.

John Duns Scotus. Quodlibet 18. In William A. Frank, *John Duns Scotus' Quodlibetal Teaching on the Will*, 237–54. Ph.D. dissertation, Catholic University of America, 1982.

John Duns Scotus. *Opera philosophica*. Ed. Girard J. Etzkorn et al. 5 vols. St. Bonaventure, NY: Franciscan Institute, 1997–2006.

John Duns Scotus. *The Examined Report of the Paris Lecture: Reportatio I-A. Latin Text and English Translation*. Ed. Allan B. Wolter and Oleg Bychkov. 2 vols. St. Bonaventure, NY: Franciscan Institute, 2004–8.

Sigla

A	Assisi, Biblioteca communale, cod. 137
B	Bonn, Universitätsbibliothek, cod. 2237
D	Gdańsk, Municipal Public Library, cod. 1968
I	Canterbury, Cathedral Library, cod. A. 9
N	Paris, Bibliothèque Nationale, cod. lat. 15362
O	Oxford, Merton College, cod. 60
P	Paris, Bibliothèque Nationale, cod. lat. 15360
Q	Paris, Bibliothèque Nationale, cod. lat. 15854
R	Vatican City, Biblioteca Apostolica, cod. vat. lat. 882
S	Vatican City, Biblioteca Apostolica, cod. vat. lat. 883
V	Vatican City, Biblioteca Apostolica, cod. vat. lat. 876
Y	Paris, Bibliothèque Nationale, cod. lat. 15857
Z	Paris, Bibliothèque Nationale, cod. lat. 3114[1]
Σ	Q + Monte Cassino, Archivio dell'Abbazia, cod. 452

Other primary works

Albert the Great. *Opera Omnia*. Ed. Auguste Borgnet. 38 vols. Paris; Vivès, 1890–1899.

Alcuin. *Interrogationes et reponsiones in Genesim*. PL 100.

Alexander of Canterbury. *De similitudinibus*. PL 159.

Alexander of Hales. *Summa theologica*. Ed. PP. Collegii S. Bonaventurae. Quaracchi, 1924–48.

Ambrose. *De incarnatione domnicae sacramento*. CSEL 79.

Ambrose. *De officiis*. PL 16.
Ambrose. *De paradiso*. CSEL 32/1.
Anonymous, 13th c. Ed. G. Dinkova-Bruum. "Notes on Poetic Composition in the Theological Schools ca. 1200." *Sacris erudiri* 43 (2004): 199–391.
Anselm. *Opera omnia*. Ed. F. S. Schmitt. 6 vols. Stuttgart-Bad Canstatt: Friedrich Fromann Verlag, 1968.
Articuli 219 a Stephano Tempier Parisiensi episcopo damnati. Ed. Heinrich Denifle et al. *Chartularium Universitatis Parisiensis*, I. Paris: Delalain, 1889.
Augustine. *83 Diverse Questions* (*De diversis quaestionibus 83*). CCL 44A.
Augustine. *Against Faustus* (*Contra Faustum*). CSEL 25[1].
Augustine. *Against Julian* (*Contra Iulianum*). CSEL 25[1].
Augustine. *Against Lying* (*Contra mendacium, ad Consentium*). CSEL 41.
Augustine. *City of God* (*De civitate Dei*). CCL 27.
Augustine. *Enarrations on the Psalms* (*Enarrationes in Psalmos*). CCL 38–40.
Augustine. *Enchridion* (*Enchiridion ad Laurentium de fide et spe et caritate*). CCL 46.
Augustine. *Letters* (*Epistolae*). CSEL 34, 44, 57.
Augustine. *On Christian Teaching* (*De doctrina christiana*). CCL 32.
Augustine. *On Free Choice of the Will* (*De libero arbitrio voluntatis*). CCL 29.
Augustine. *On Genesis* (*De Genesi ad litteram*). CSEL 28.
Augustine. *On Lying* (*De mendacio*). CSEL 41.
Augustine. *On the Good of Marriage* (*De bono coniugali*). CSEL 41.
Augustine. *On the Lord's Sermon on the Mount* (*De sermone Domini in monte*). CCL 35.
Augustine. *On the Morals of the Church* (*De moribus ecclesiae*). PL 32.
Augustine. *On the Trinity* (*De Trinitate*). CCL 50–50A.
Augustine. *On the Two Souls* (*De duabus animabus*). CSEL 25[1].
Augustine. *Questions on the Heptateuch* (*Quaestiones in Heptateuchum*). CCL 33.
Augustine. *Reconsiderations* (*Retractationes*). CSEL 36.
Augustine. *Sermons*. PL 38, 39.
Augustine. *Soliloquia* (*Soliloquies*). PL 32.
Augustine. *Tractates on the Gospel of John* (*In Ioannis Evangelium Tractatus*). CCL 36.
Averroes. *Commentaria in Aristotelis Opera, latine*. Venice, 1483; Venice, 1562 (ed. Iuntina).
Avicenna. *Avicenna latinus. Liber de anima seu sextus De naturalibus*. Ed. S. Van Riet. 2 vols. Louvain-Leiden: G.Verbeke, 1972, 1968.
Avicenna. *Liber de philosophia prima sive scientia divina [= Metaphysica]*. 2 vols. Ed. S. Van Riet. Louvain-Leiden: G. Verbeke, 1977, 1980.
Bernard of Clairvaux. *On Commandment and Dispensation* (*De praecepto et dispensatione, Epistola ad abbatem Columbrensem*). In *Sancti Bernardi Opera*, vol. III. Rome, Editiones Cistercienses, 1957–77.
Boethius. *In Categorias Aristotelis*. PL 64.
Bonaventure. *Opera omnia*. Ed. PP. Collegii S. Bonaventurae. 10 vols. Quaracchi, 1883–1902.
Cassiodorus. *Expositio Psalmorum*. CCL 97.
Cassiodorus. *Historia tripartita*. PL 69.
Eustratius. *In Aristotelis Ethics ad Nicomachum explanationes*. Ed. H. P. F. Mercken in CLCAG VI[1]. Leiden, 1973.
Giles of Rome. *Quodlibeta*. Ed. Simon of Hungary. Bonn, 1481.

Giles of Rome. *Sententiarum*. Venice, 1521.
Godfrey of Fontaines. *Quodlibeta*. Ed. Hoffmans. In PhB. Louvain, 1931–5.
Gratian. *Decretum. Corpus Iuris Canonici [CIC], I: Decretum Magistri Gratiani*, ed. Ae. L. Richter. Leibniz: Tauchnitz, 1922.
Gregory IX. *Decretales Corpus Iuris Canonici [CIC], II: Decretalium Collectiones*, ed. Ae. L. Richter. Leibniz: Tauchnitz, 1922.
Gregory the Great. *Homiliae 40 in Evangelia*. PL 76.
Gregory the Great. *Moralia in Iob*. CCL 143, 143A, 143B.
Henry of Ghent. *Opera omnia.* Ancient and Medieval Philosophy, de Wulf-Mansion Centre, series 2. Leuven-Leiden, 1979–.
Henry of Ghent. *Quodlibeta*. Paris, 1518.
Henry of Ghent. *Summa quaestionum ordinariarum*. 2 vols. Paris, 1520.
Isidore. *Liber differentiarum*. CCSL 111A.
Isidore. *Sententiae.* PL 83.
Jerome. *Commentarii in Ioelem prophetam*. CCSL 76.
Jerome. *Commentariorum in Hiezechielem*. CCSL 75.
John Cassian. *De institutis coenobiorum*. CSEL 17.
John Damascene. *De fide orthodoxa*. ed. Buytaert. St Bonaventure, NY: Franciscan Institute Publications, Text Series number 8.
Justinian. *Institutiones*. Ed P. Krüger. In *Corpus Iuris Civilis*, I. Berlin: Weidmanns, 1905.
Liber de causis. Ed. A. Pattin, Leuven 1966.
Matthew of Aquasparta. *Quaestiones disputatae de gratia*. Ed. Doucet in BFS X. Quaracchi, S1935.
Nicholas of Lyra. *Biblia sacra cum glossa interlineari, et ordinaria*. 5 vols. Venice, 1588.
Paulinus of Aquileia. *De salutaribus documentis*. PL 99.
Peter Comestor. *Historia scholastica*. PL 198.
Peter Lombard. *In epistolam ad Romanos*. PL 191.
Peter Lombard. *Sententiae in IV libris distinctae*. Ed. PP. Collegii S. Bonaventurae in SB vols. IV–V. 2 vols. Grottaferrata, 1971, 1981.
Peter of Spain. *Tractatus*. Ed. L. M. De Rijk. Assen, 1972.
Peter of Tarentaise (Innocent V). *In IV libros Sententiarum commentaria*. 4 vols. Edn. Tolosae, 1649–52.
Plato. *Opera, graece et latine*. 3 vols. Paris, 1856–73.
Proclus. *Institutio theologica*. Ed. Portus. Hamburg, 1618.
pseudo-Augustine. *On True and False Repentance* (*De vera et falsa poenitentia*). PL 40.
pseudo-Dionysius. *On the Divine Names* (*De divinis nominibus*). Dionysiaca I. Bruges, 1937.
pseudo-Isidore. *Quaestiones tam de novo quam de vetere testamento*. CCSL 108B.
Richard Fishacre. *In tertium librum Sententiarum*, d. 23–40. Ed. K. Rodler in BAW XXIII. Munich, 2003.
Richard Middleton. *Commentaria in Sententias*. 4 vols. Edn. Venice, 1507–9.
Richard of St Victor. *De Trinitate*. PL 196.
Roger Bacon. *Opera hactenus inedita Rogeri Baconi*. Ed. R. Steele. 16 vols. Oxford: 1905–40.
Rupert of Deutz. *De Gloria et honore Filii hominis, super Matthaeum.* PL 168.
Rupert of Deutz. *De glorificatione Trinitatis et processione Spiritus Sancti*. PL 169.
Rupert of Deutz. *De victoria Verbi Dei*. PL 169.

Thomas Aquinas. *Opera omnia*. 24 vols. Edn. Parma, 1852–69.
Thomas Aquinas. *Opera omnia, iussu Leonis XIII edita cura et studio Fratrum Praedicatorum*. Rome: Vatican Polyglot Press, 1882 ff.
Walter Burley. *Treatise on the Purity of Art of Logic*. Trans. Paul Vincent Spade. New Haven: Yale University Press, 2000.
William of Auvergne. *De universo*. Paris, 1516.
William of Auxerre. *Summa aurea*. Ed. J. Ribailler. In SB XVI–XIX. Paris/Grottaferrata, 1982.
William of Nottingham. *Sententiarum*. Cambridge, Gonville and Caius cod. 300.

Secondary works cited

Callebaut, André, O.F.M. "A propos du Bx. Jean Duns Scot de Littledean: Notes et recherches historiques de 1265 à 1292." *Archivum Franciscanum Historicum* 24 (1931): 305–29.
Cross, Richard. *Duns Scotus on God*. Burlington, VT: Ashgate, 2005.
Cross, Richard. *Duns Scotus's Theory of Cognition*. Oxford: Oxford University Press, 2014.
Dumont, Stephen D. "Did Scotus Change His Mind about the Will?" In Jan A. Aertsen, Kent Emery, and Andreas Speer, eds., *After the Condemnation of 1277* (Miscellanea Mediaevalia 28), 719–94. Berlin: de Gruyter, 2001.
Noone, Timothy B., and H. Francie Roberts. "John Duns Scotus' *Quodlibet*: A Brief Study of the Manuscripts and an Edition of Question 16." In Chris Schabel, ed., *Theological Quodlibeta in the Middle Ages: The Fourteenth Century*, 131–98. Leiden: Brill, 2007.
Sheppard, J. A. "Vita Scoti." *Franciscan Studies* 60 (2002): 291–323.
Williams, Thomas. "The Franciscans." In Roger Crisp, ed., *The Oxford Handbook of the History of Ethics*, 167–83. Oxford: Oxford University Press, 2013.
Wolter, Allan B., O.F.M. "Reflections on the Life and Works of Scotus." *American Catholic Philosophical Quarterly* 67 (1993): 1–36.

Index

absolute vs ordered power 54, 55, 95–8, 324
acceptance, divine 30, 65, 83–4, 97, 123, 175, 189, 246, 256
analogy/disanalogy between intellect and will 6–9, 38, 45, 47, 49, 50–1, 62, 69, 102–3, 104, 114, 117, 131, 132, 144, 150, 163, 180, 183, 187, 194–5, 199, 214, 323–4, 326, 342–4
appetite 3–4, 20, 22, 49, 50, 79, 107, 110, 113–14, 136, 157–8, 208–9, 211, 237–8, 334
  intellectual 114–17, 142, 157
  sensory 18, 20, 25, 26, 58, 65, 113–14, 142, 150, 152, 157, 173, 190–2, 193, 195–204, 213–14, 216, 217
art 19, 39, 42, 82, 84–5, 190 n., 239, 241

baptism 244, 285
beatitudes 207, 215, 217–18, 220–1
beauty 76, 144–6

capital sins 120–1, 150
charity 17, 55–6, 59–62, 65, 110, 123–5, 145, 148, 161–89, 196, 200–4, 209, 211, 215, 218–20, 224, 230, 242–6, 255, 264, 266, 281, 286, 292, 298, 322, 339, 343
choice xviii, 7, 9, 11, 19, 22, 76, 78, 81, 104, 106, 141, 191, 199, 200, 202, 203, 222, 227, 233–4, 236, 237–41, 245, 246, 336, 337
  sinning from 104, 106
Christ 102, 156–60, 243, 256, 258, 263, 266, 284, 287–8, 299, 308, 311–12, 315–18
circumstances (of an act) 24, 26–8, 35, 42–3, 45, 76, 78, 102–3, 111, 123–5, 145, 175, 201, 250–1, 261–5, 282, 283, 290, 293–4, 296–9, 337–9
coercion 301–4
composed vs divided sense 13, 93–4, 232–3, 339
Condemnation of 1277 195, 232–3
confession (sacramental) 276–95
conscience 138–43, 293, 301
consent 301–4
contingency 5, 8, 9, 12–13, 15, 16, 18, 21, 29, 33–9, 57–60, 65, 69–70, 72–4, 84, 86–94, 99, 128–9, 251, 323, 325, 341, 346
  proved *a posteriori* 5, 87
contingent truths, immediate 5, 73
courage 25–6, 76, 171–2, 190, 205, 207, 211–12, 214–20, 222, 225, 227–8, 238, 242

Decalogue 121, 150, 248–58
deliberation 22, 191, 205–6, 237, 240, 264
dispensation 248–50, 252, 253, 258, 307–9, 314–15, 317–18

efficacious vs simple/restrained volition 69, 72, 99–100, 106, 187, 202, 347
end
  circumstance of 24, 42, 103, 124, 144–6, 298, 337, 338
  selected 47–8, 236
  ultimate 14, 30, 33, 38, 44–8, 54–9, 63–4, 69, 103, 114, 117, 131, 140, 185, 215, 225, 239, 243, 249, 252–3, 297, 347
elect, the 186, 188, 189, 296
enjoyment 31, 38, 44–66, 116, 118, 139–40, 157, 162, 204, 212, 297, 334
  ordinate vs inordinate 45–8, 162
equality with God 104–8, 202, 327
Eucharist 29, 277, 284

faith 38, 46, 156, 163, 175, 202, 208–11, 218–21, 243–6, 263, 267, 269, 279, 296, 307, 308
fall 104–22, 273, 278, 279, 296
fallacy
  of a figure of speech 253
  of confusing the composed and the divided sense 13
  of inferring something unqualifiedly true from something true in a certain respect 13, 92
  of the consequent 19
fear 213, 264, 268, 299, 301–4, 317–18
  of God 217–19
free choice 136, 141, 149, 153, 336
friendship 110–12, 161, 175–6, 179, 182, 184, 189, 216–17, 220, 256, 299
friendship-willing vs desire-willing 64, 105, 111–12, 117, 297
fruits 207, 215, 219–20

gifts 207, 215, 218–21
goodness and badness
  generic 27–8, 42, 123–5, 145, 261, 297, 337
  meritorious 118, 123–5, 145, 147–9, 339
  moral 24, 26, 75–81, 102–3, 123–5, 144–9, 174, 296–300, 333–9, 341–2
  natural 26, 123–5, 144, 333, 335–6

grace 83–4, 96, 98, 116, 122, 123, 125, 127, 128–9, 132–3, 149, 157, 158, 188, 245, 267, 284, 346

habits 14, 18, 21–6, 38–9, 41–3, 54, 58, 61, 75–81, 82, 84, 120, 127, 129, 139, 140–2, 147–9, 161–7, 174–7, 178–85, 189, 191, 194–206, 207–22, 226–30, 234, 236–45, 265, 323–5, 328, 338, 344–9
  generated from choice (moral virtue) 78, 196, 199–200, 202, 222, 239, 245
  generated from dictates (prudence) 78, 81, 199, 202, 222–3, 234, 236, 239–41
happiness xix, 27, 46, 52, 54, 56, 64–5, 112–18, 120, 122, 138, 165, 168–70, 178, 187, 193, 219, 225, 230, 243, 244, 246
hope xix, 163, 175, 196, 209, 211, 218, 220, 245–6
humility 110, 215, 217–19, 223, 230

ideas (divine) 82, 85
immutability 54, 86
  of God 67–74
imputability 339–41, 348
indeterminacy, kinds of 4–7, 9, 49, 72–3, 196, 198, 199, 339
indifference 15, 89–90, 339–40, 341
  of an act 125, 147–9, 266, 340, 344
instant(s)
  of eternity 90–1, 93
  of nature 84, 100–1, 188, 251
  of time 12–13, 88, 90, 93, 94, 109–10, 137, 143
intellect 9–11, 13–14, 17–26, 28–39, 41–3, 45, 47, 49, 50–1, 53–66, 79, 95, 102, 103, 104–9, 113–14, 117, 120, 131, 132, 135–7, 139–46, 150, 152, 156–7, 163, 166, 170, 180, 183, 187, 191, 193–6, 198–200, 202, 208–10, 216, 218, 222–3, 226, 231–8, 246, 249, 251, 253, 326, 335–6, 340, 341, 343–4
  as natural power 3–7, 14, 84, 117
  averting 56, 117, 234–5
  blinding/darkening of 120, 143, 152, 233–7
  divine 29, 31–8, 68–9, 83–5, 88, 96, 102, 188–9, 251, 323–6, 331, 335, 344
  practical vs speculative 22–3, 26, 41, 42, 84, 106, 142, 202, 208, 232
  relation to will xviii, 9, 28, 53–66, 105, 139–41, 190, 193, 222–3, 233–6, 339
intention 135–7, 144, 262–4, 269
interior (elicited) vs exterior (commanded) act 18–20, 30, 304, 333–50
irascible vs concupiscible 110, 122, 190, 203, 211–14

justice 76, 81, 97, 110, 112–16, 124, 129–30, 133–4, 138–9, 148, 180–1, 185, 191–3, 204, 209, 211, 214–20, 225, 228, 260, 272, 305–9, 314, 319–22, 334–5, 338, 339, 340, 343–5
  of God 97, 218, 319–27, 329–32

law 83, 95–8, 313, 314, 316, 320, 326
  divine 95–8, 122, 126, 127, 133, 232, 259, 268, 272, 274, 283, 287, 292–5
  Mosaic 250, 267, 275, 277–9, 311–18
  natural 163, 248–58, 260, 272, 274–80, 283, 285–7, 290, 291–5, 300, 305, 308–9, 311, 315
  New (Gospel) 37, 250, 266, 267, 275, 287–8, 315, 317
  positive 96, 127, 250, 254, 272–7, 283, 287, 288, 291, 293, 295
  universal 83–4, 97–8, 320, 326
love 17, 48, 52, 62, 105, 111, 113, 118, 148, 194, 255–6, 334
  God's 186–9, 327
  of enemies xix
  of God 29, 31–2, 35–6, 42, 112, 123, 131, 148, 161–77, 179–81, 184–5, 209, 218, 252–5, 297, 320, 325–6, 338
  of neighbor 178–83, 254–7, 286, 298
  of self 112, 119–20, 122, 184–5, 298
lying 259–71, 283–5, 290–1

marriage 296–300, 301, 305–18
mercy 218–20, 328
  God's 122, 279, 319, 327–32
moral science 27, 39–40, 237 n., 239

participation 9, 46, 55, 59, 62, 63, 77, 163–5, 168, 170, 349
passions 40, 50–2, 75, 80–1, 104, 106, 110, 117, 122, 142, 148, 152, 173, 192, 197–200, 204, 222, 327–9
permission 99–101, 216, 273, 316–17
pleasure 51–2, 58, 80–1, 150, 152, 157, 171, 195, 197–8, 201, 204, 211–17, 220, 225, 229–30, 243, 307, 327
power(s) 39–40, 44–6, 48–9, 53–4, 58–9, 61–2, 64, 68, 76, 85, 89, 113–15, 136, 154, 156–8, 161, 166–7, 169, 177, 195–6, 202, 214, 231, 336, 339, 345–6
  absolute vs ordered 54, 55, 95–8, 324
  for opposites 1–15, 73, 90–4, 194, 196, 232, 336, 339–40
  for sinning 153–5
  infinite 70, 71, 187–9
  moved/commanded by will 7, 19, 36, 56, 63, 199, 333, 340–1, 348
  perfected by habit 58, 75, 80–1, 174, 186, 191, 194–6, 202, 324, 326
  rational vs non-rational 1–15
practical principles 27, 30, 31, 83–5, 140, 235–6, 240, 242, 248–9, 252–7, 277, 300, 309, 320, 325
practical science/cognition 16–43, 82–85, 239, 242

praxis 16–43, 82–3, 240
pride 105, 109–22
private property 254, 272–5
prohairesis 3, 7
prudence 19, 26, 38–9, 76–81, 190, 195, 199, 200, 202–3, 206, 209, 210, 214, 218–20, 222–3, 225, 231–42, 246, 274–5, 325, 339

rectitude/correctness 25, 26, 28–38, 42, 79, 84–5, 96, 128–9, 131–3, 142, 146, 154, 233–4, 254, 320–5, 336, 344–5, 347
right/correct reason 19–20, 25, 30, 38, 76–9, 84–5, 116, 123–4, 145, 162, 165, 170–2, 179, 190, 195, 197–9, 212, 214, 227, 237–9, 246, 266, 273–4, 286, 296–7, 302, 304, 307–9, 314, 329, 334, 336–7, 342

sensory appetite 18, 20, 25, 26, 58, 65, 113–14, 142, 150, 152, 157, 173, 190–2, 193, 195–204, 213–14, 216, 217
  relation to will 20, 113–14, 150, 152, 191–3, 195, 196, 197–204, 213, 214, 216, 217
signs, words and deeds as 259–60, 270–1, 292–3
simplicity of God 67, 90, 329, 331, 332
sin 126–34, 153–5
  ex malitia 151–2
  mortal 55, 108, 115, 120, 128–33, 148, 149, 230, 260, 263–6, 270, 282, 288–9, 292, 293–4, 302–4, 309–10, 314, 317, 318
  venial 148–9, 264–5, 266, 268–9, 304, 344
suitability, actual vs aptitudinal 65–6
syllogisms, practical 68, 69, 78, 83, 106, 131, 140, 206, 218, 325
synderesis 138–42

temperance 110, 190, 200–1, 209, 211, 214–20, 222, 223, 225, 227–30, 238, 242, 319, 327

unhappiness 218, 327–9, 341–2
unqualified perfection 70, 89–90, 154, 187
unitive containment 8, 331–2
use 16, 17, 41, 44, 45, 51–2, 63, 116, 136, 137, 198, 200, 204

virtue(s) 19, 26, 75–81, 87, 110, 121, 129, 148, 150, 178, 190–247, 260, 319, 325, 327, 338–9
  classification of 210–17
  connection of 222–47
  in the body 203
  theological 161–77, 183

will 190–206
  acts of xviii, 14, 50–1, 90, 99–101, 105, 109, 111, 131, 135–7, 211–14, 216, 328–9, 347
  as rational power 1–15
  as comparative/relational power 47, 107, 137, 198
  as subject of virtues 190–206
  divine 30, 32–6, 38, 68–9, 73, 83–4, 88–91, 93, 95–103, 131, 151, 186–9, 251, 320–6
  freedom of 5, 7, 32, 33, 47, 50–1, 53–66, 73, 83, 84, 90, 96, 114–18, 130, 136, 141, 142, 145, 146, 152, 153–5, 157–60, 170, 191–3, 196–8, 204–5, 340
  natural vs free 116–17, 138, 142, 156–60, 204–5
  relation to intellect xviii, 9, 11, 19, 21, 28, 32–4, 53–66, 105, 139–41, 190, 193, 222–3, 233–6, 339
  relation to sensory appetite 20, 113–14, 150, 152, 191–3, 195, 196, 197–204, 213, 214, 216, 217
  two affections of 112, 114–18, 141–2, 147, 163, 165, 170, 302
  vs nature 3–9, 14, 53, 65, 73, 116, 136, 140–1, 146, 192, 196, 205, 324, 326
willing under the aspect of evil 1–2, 151–2, 231
wrath of God 186, 189, 232